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Issue	General (including: Vision & Strategy, General Feedback, Population & Housing, Transport & Infrastructure and Environment)	
MIR reference:	Various	
List of persons and organisations who submitted comments (including reference number):		
<p>Ardross Community Council (00267), Balnagown Estate (00964), Cawdor & West Nairnshire Community Council (00273), Cllr Kate Stephen (01348), Combined Power And Heat Highland Ltd (00983), Croy And Culloden Moor Community Council (00028), Donald Boyd - Collective Response (01351), Grantown-on-Spey Community Council (00289), Highlands & Islands Green Party (00491), Mackay, Robertson And Fraser Partnership (00962), Mr Brian Stewart (00993), Mr David Guthrie (01199), Mr Roderick Ross (01357), Mr Scott Macdonald (01248), Mrs C Stafford (00511), Mrs E Holland (00509), Ms Anne Thomas (01208), Neil Sutherland Architects (01233), Network Rail (00438), Nigg & Shandwick Community Council (00313), Richard Crawford - Collective Response (01352), Scottish Canals (00655), Simpson's Garden Centre (00780), Smithton & Culloden Community Council (00317), Transition Black Isle (01030), Alison Lowe And Michael Hutcheson (00520), Cromarty Allotments And Gardens Society (00667), Deveron Homes Ltd (01247), Dr Ros Rowell (00885), Ferintosh Community Council (00910), G H Johnston Building Consultants Ltd (00424), Inverness Civic Trust (01064), Kilmorack Community Council (00031), Knockbain Community Council (00303), Miss Susanna Leslie (00888), Mr And Mrs Gordon Penwright (01216), Mr George MacWilliam (01215), Mr John D Murrie (01182), Mr John Duncan (00915), Mr Kenneth Mackenzie (00694), Mr William Boyd (00332), Mr William Sutherland (00782), Mrs Joan Noble (00879), Mrs Karin Kremer (00729), Mrs Maureen Butchard (01149), Ms Elizabeth Davis (01086), Nairn River Community Council (00310), Raigmore Community Council (00314), Scottish Environment Protection Agency (00523), Scottish Natural Heritage (00204), Strathdearn Community Council (00908), Strathpeffer Community Council (00321), Tain Community Council (00322), The Scottish Government (00957), Tulloch Homes Ltd (00393)</p>		
Vision and Spatial Strategy		
Summary of comments received:		
Relationship between IMF LDP and HwLDP		
<ul style="list-style-type: none"> • Questions relationship between HwLDP and IMF, whether HwLDP dictates policy to future LDPs, and why land allocations appear in both HwLDP and IMF MIR which is contrary to Circ 1/09. • Vision and Spatial Strategy (V&SS) should have been revisited through the MIR. Council should have taken fresh approach to A96 developments rather than 'hiding behind' reference in HwLDP and NPF2. • The MIR is considered to be confusing in terms of the relationship between the IMF LDP and the HwLDP general policies. • Proposed Plan should contribute to the Scottish Government's central purpose of increasing sustainable economic growth, and demonstrate how the Council intends to contribute to the national actions set out in NPF2. Scottish Government is pleased that the Council has identified a wide range and number of potential development sites across the IMF area, and that key development issues have been set out. Scottish Government expect the PP to be clear on how requirements 		

for development sites in the IMF Plan will sit alongside those identified in the HwLDP.

Approach to and Locations for Growth

- Several respondents support V&SS, including future patterns of development and strategic locations for growth.
- Some opposition to any significant development within plan area because it will cause suburban sprawl, disfigure the countryside, worsen health provision when Raigmore already over capacity, increase sewage in Beaully Firth, and lead to loss of prime farmland
- One respondent does not accept that formation of new settlements is the most sustainable option. Better to enhance existing settlements to minimise need for new infrastructure, e.g. Inverness East focuses too much development in one small area to the detriment of other more sustainable development.
- Growth of settlements should be concentric not haphazard mix of peripheral and central.
- Areas previously protected from development in the Inverness Local Plan should be protected in IMF.
- Several respondents suggest the Plan should include 25% policy for smaller settlements within the Inverness Local Plan to ensure communities grow organically.
- Strategy should focus more on the Plan area outside Inverness (Easter Ross and peripheral areas) to avoid detriment of to communities outside of Inverness.
- A96 corridor growth based on Business Park which is yet to be commenced and enterprise zones in Inverness and Forres will mean poor prospects of new jobs in Nairn. Easter Ross has more potential for industry and housing – strategy needs to reflect this.
- Strategy and investment should support Moray – Highland should be ‘good neighbour’.
- V & SS is difficult to understand – the area covered by Nigg & Shandwick CC is included within the growth corridor but apart from Nigg none of the improvements or tourism come near it, but area is a tourist route.
- Proposed Plan should state that waste management facilities will be acceptable on existing or allocated industrial land subject to Policy 70 of HwLDP.
- Rather than build more wind turbines, a nuclear power station at Whiteness would be preferable.
- Lessons from New Town Development in UK should be incorporated into development and planning policies.
- Several respondents oppose housing development on prime farmland. Development on agricultural land is excessive and avoidable. Lack of strategy over loss of good quality farmland – class and division should be identified for each site and allocations on prime farmland justified. Local food security essential if Highland grows rapidly.

Sustainable Economic growth

- Welcomes new and increased employment opportunities but the Plan does not demonstrate how this can be achieved.
- Council should be aiming for diversified economy and embracing sustainability to ensure better quality of life.

- Strategy needs robust approach to social, economic and environmental sustainability, recognising that these need to work together in all parts of Highland to deliver vibrant and resilient communities.
- Concern over health of town centres and wish to resist rather than enable provision of more out of town retail.

Council's summary of responses to comments:

Relationship between IMF LDP and HwLDP

The Highland-wide Local Development Plan (Adopted 2012) sets the strategy for growth for the whole of Highland (except the area covered by the Cairngorms National Park Authority). As part of this, a Vision and Spatial Strategy was set out showing how each area of Highland will facilitate sustainable economic growth. The Highland-wide Local Development Plan also includes the policy framework against which all planning applications will be determined. The area Local Development Plans will be the strategic masterplan for the delivery of these area visions and spatial strategies.

Circular 1/2009 requires Planning Authorities to have regard to other Local Development Plans that cover the area in question. Therefore, the Highland-wide Local Development Plan must be given due consideration in the formulation of the Inner Moray Firth Local Development Plan. This is also the case with the National Planning Framework. This approach is being taken to ensure The Highland Council can meet the challenges of planning reform and ensure a 5 year up to date Development Plan. This is particularly challenging in an area such as Highland which covers over one third of the land mass of Scotland.

By including the allocations from the Highland-wide Local Development Plan in the Main Issues Report we had hoped to present the most complete picture of potential development in the area. It is acknowledged that it would have been useful to distinguish more clearly that these were allocations in the Highland-wide Local Development Plan to avoid confusion.

In the Proposed Plan the relationship between the Highland-wide Local Development Plan and the Inner Moray Firth Local Development Plan will be made clear.

Approach to and Locations for Growth

Growth has been concentrated in the two growth corridors as identified in the Inner Moray Firth Vision and Spatial Strategy as set out in the Highland-wide Local Development Plan, Ross-shire and A96 (Inverness-Nairn). Within these growth corridors, growth has been focused on existing settlements where capacity exists in infrastructure or where the necessary improvements to infrastructure to support growth can be supported. In addition this will ensure growth is spread proportionately across the Local Development Plan area which offers a range of differing opportunities and can respond to differing needs and demands, for example the Ross-shire Growth Corridor has a focus on consolidating and supporting the expansion of the business and industrial development which is already within the area.

The A96 Growth Corridor sits adjacent to the key areas for growth within Moray which flow along the A96 from Forres to Keith with their main centre for growth being Elgin. It is considered that this approach to growth in the A96 Corridor can be complementary to the Moray areas for growth rather than in competition with them. The Main Issues Report for

the National Planning Framework promotes joint working between the two local authorities for the Elgin to Inverness Life Sciences Corridor. The Inner Moray Firth Local Development Plan works towards this by promoting development which supports this aim.

Within each settlement an approach to growth which enables the existing settlement to be consolidated prior to expansion has been taken forward. Through a high level phasing strategy for each settlement we have been able to identify the most appropriate phasing which will enable the delivery of development which is supported by the required infrastructure. Taking this approach means that there would be no need for a 25% expansion policy as the rate of development will be dependent on the level of infrastructure provision and other factors. This will help to ensure that where it is deemed that there is to be a detrimental impact on the amenity level enjoyed by the community due to the level of development that suitable mitigation will be required.

The protection of land from development needs to be based on sound planning principles. The only land which will be safeguarded from development (within settlements) in the plan will be that identified as high quality, fit for purpose and normally accessible (to people and/or wildlife) greenspace. All other land will either be identified for a particular use or will be subject to the policies of the Highland-wide Local Development Plan which contains a number of protective policies related to safeguarding our environment.

With regard to the loss of prime agricultural land, The Highland Council follows the approach set out in Scottish Planning Policy and will only allocate a site on prime agricultural land where it:

- Is an essential component of the settlement strategy; or
- Necessary to meet an established need; or
- Where no other suitable site is available.

Even when it meets one of the above tests then consideration has been given to minimising its loss.

New settlements / significant settlement expansions have only been allocated where they are required to meet an established need and expansion of existing settlements in the area are not feasible or will not be able to meet the established need. Policy 38 of the Highland-wide Local Development Plan sets the criteria for consideration of any proposed new settlement, including the requirement to bring it forward through the Local Development Plan process to ensure full consideration of the issues.

The location of Waste Management Facilities is covered by Policy 70 of the Highland-wide Local Development Plan and it is not considered proportionate to repeat this in the Inner Moray Firth Local Development Plan but any site allocated for a new waste management facility will follow the approach set out in Policy 70 of the Highland-wide Local Development Plan.

Sustainable Economic growth

The Council recognise that the demand for new housing needs to be balanced with job creation. Through this Local Development Plan the Council have identified significant areas of business and industrial land to support the economic growth in the area. While this is the case the demand for and delivery of employment opportunities is largely led by the private sector. Through the Vision and Spatial Strategy and subsequent strategies for both Growth Corridors and individual settlements land has been identified to support both

existing and emerging industries in the area. This includes oil and gas, food and drink and the increasingly important on-shore and off-shore renewables infrastructure sectors.

In doing this we believe that we are providing sufficient jobs to ensure that economic growth in the area is sustainable.

With regard to Town Centres, the Council is setting out a clear settlement hierarchy which will direct growth to the main centres. This is then reflected in the approach to leisure, retail and other developments which is set out in the Highland-wide Local Development Plan, which directs new retail and leisure uses to the town centre in the first instance. This approach accords with Scottish Planning Policy on the matter.

General Feedback

Summary of comments received:

Mapping and Plan Presentation

- Ardross shown to have major expansion but assured this is not the case – make it clearer.
- Part of Ferintosh CC area is shown within the Easter Ross growth corridor – should be open countryside.
- Council should enable a masterplanning approach to new development rather than piecemeal to coordinate evidence base for infrastructure and agree mitigation measures.
- Allocations B, MU, H and R should be merged to allow a holistic view of development rather than the current rigid zoning.
- Plan difficult to access and read - difficult to find out about the area outwith key settlements.
- SG would like to see the PP take a place-based approach, in line with the principles of Designing Places and Designing Streets, achievable by putting more emphasis on illustrations and maps and giving more sense-of-place sites by demonstrating their interconnectedness and showing how THC expects to see them grow during the lifetime of the plan.
- English language should be used more prominently if dual language signage is to be used.

Consultation and Plan Preparation Process

- Community Councils and Local Councillors ought to be the appropriate forum to identify suitable development areas. Architects should not attend evening meetings.
- Reducing 9 local plan areas to 4 LDP areas is questionable. Areas are too large. Time taken to finalise the plan is too lengthy considering it has to be updated every 5 years. There should be a rolling program of updates driven by necessity and local demand.
- Sufficient latitude should be built in to plan to ensure developer-led development (unforeseen during plan review) will not be precluded during lifetime of the plan. Plan purpose should be to lead and guide stakeholders and not taken as a strict set of rules. Development management needs to retain flexibility of determination.
- Commend Council on the way the consultation was conducted, and the encouragement to comment on wider issues within the plan. Response to plans and opportunity to comment were positive, hopes proper weight will be given to

resident's concerns and aspirations. Appreciate the work put in to the process.

- Overall experience of consultation was not positive;- evening meeting was dominated by distrust of Council officers preventing attendees from engaging fully;- officers were insufficiently prepared for meeting;- statutory advertisement had wrong submission deadline on it;- no hard copy of amendments list provided;- difficulty viewing the Inverness City text and map at the same time;- unfavourable impression of the planning system, loss of trust with the planning system;- distance between community and decision makers, all should work together in an open, transparent system for the good of the Highlands. Response may have suffered due to loss of faith in the Council. MIR appears like an old style draft plan but with lack of detail, and does not guide the discussion it is supposed to. Publicity for public events in North Kessock, Dores and Fort Augustus was poor. Would like to be better informed of plans. THC must address how it achieves greater public response to these proposals and similar ones in the future.
- Considers format of MIR consultation was 'ridiculous' for the following reasons:- overuse of technical language and jargon;- advertising posters were bland and text was too small;- plan name does not alert residents in the Black Isle that it will affect them;- a workshop suggests compulsory involvement which may put people off;- a planning degree is needed to make sense of the comments form;- Cromarty workshop dominated by those who had something to gain from the allocation of sites and so was not a representative group. Posters would have been more effective by stating "Public Meeting to Discuss Potential Sites for Planning in Cromarty." Provide simple, plain English introduction to meeting and how it could affect the town. Comments forms should also be in plain English for people to feedback on the sites affecting their area with space for additional comments on wider issues affecting the plan. Format excluded the majority of people who may not understand the document and/or been put off public meeting.
- Most people in Muir of Ord do not attend LDP meetings, or wait until development plans are progressed, and then complain when development is proposed.
- Concerned that views of local residents are not considered as much as those of local land owners and developers.

Call for Sites

- Council Planners should identify reasonable development sites then undertake public consultation on those, rather than the 'call for sites' which results in inappropriate sites.
- Most people were not aware that they could comment on sites proposed during the call for sites, in particular to provide comments on why a site should be safeguarded from development. (NOTE: Site was not in MIR as a preferred site. It was classed as housing in the countryside and referred to the area office).
- Local residents/neighbours should be consulted to gain important local knowledge on sites before making preferred/non-preferred decisions – sites should not be given automatic preference by the Council simply by meeting certain criteria. When there remains sufficient site capacity the settlement boundary should not be extended, e.g. Muir of Ord. The Call for Sites form is favoured towards developers and those who can have it professionally completed as the questions can be manipulated. To protect neighbouring properties, the Call for Sites form should ask for details of potential drainage/ flooding issues downstream (to take account of SPP3, SPP7, PAN69). Only housing should be included within the plan as sites do not tend to be developed by the landowner and the final development is often

significantly different from the original proposal.

Timing of response

- Considers time between MIR City Centre exhibition and evening workshop (25th June) and deadline for comments (6th July) was too tight to prepare a considered response particularly given it was during the summer period. Requested extended deadline, presumably this was given as a second response was received on the 27th July.
- Limited time available for representations on a plan of such wide scope and complexity has restricted the detailed study required resulting in comments being necessarily curtailed.

Plan Content

- Concern over inclusion of inappropriate sites in MIR.
- Purpose of the MIR is unclear. MIR is constrained.
- MIR appears like an old style draft plan but with a lack of detail, it does not guide the discussion it is supposed to.
- The term 'Mixed Use' is too vague. There needs to be further clarity as to what is being proposed, for example, a percentage allocation for each of the uses proposed with a discretionary element of approx. 10%. Objects to all MUs unless further clarity is provided.
- There is no mention of planning for the homeless, jobless, addicts etc. Accepted this is a job for the housing department but it is the responsibility of the planners to allocate appropriate accommodation.
- Glossary definitions of commerce and commercial centre should be clarified and directly reflected in town centre policy. Definitions should actively support town centre health and recognise the need for flexibility in assessing proposals for new uses

Scottish Government

- Transport Assessments (TAs) will be required to allow the specific mitigation measures to be agreed. Any transport interventions that emerge from the LDP process and that have been fully assessed using DPMTAG (Development Planning and Management Transport Appraisal), and which also receive support in principle from Transport Scotland, will not need to be subject to further appraisal at a later stage. There are a number of sites in the MIR which have a direct impact on the trunk road network. Cognisance will have to be taken of these proposed developments and also those close enough to have an impact on the trunk road. TS expect that existing trunk road junctions will be used in preference to new junctions to reduce the impact on the trunk road network. Where developments propose a new junction to the trunk road, the development will be looked at in relation to surrounding proposals and an access strategy for the corridor will be examined so that developments are viewed in the wider context rather than on a piecemeal basis.
- Without the size of developments it is not possible to establish the effect of each of them so Transport Scotland require that in advance of the PP this information is quantified and the effects are established. The comments are provided for sites which TS has not previously commented upon in the HwLDP and where TS

considers there could be a potential impact to the trunk road network. In accordance with SPP, TS recommends that direct access onto any strategic road should be avoided as far as practicable. Access should be from a secondary road unless there is no alternative.

Scope and Implementation of the Plan

- Concern that Development Plan is ignored at application stage
- Council should take greater action to enforce planning conditions. Suggests solution that permission for later phases of a large development should be withheld until issues with previous phases have been resolved.

Council's summary of responses to comments:

Mapping and Plan Presentation

- In preparing the Proposed Plan clearer mapping will be produced to ensure that it is easier to read and use eliminating the uncertainty regarding some of the mapping shown in the Main Issues Report.
- The Highland-wide Local Development Plan sets the general policies for the plan area and encourages a co-ordinated approach to masterplanning development. Where there are particular issues which require a co-ordinated approach to facilitate development, these will be specifically flagged up in each settlement or if necessary in the vision and spatial strategy for each of the growth corridors if it is a cross-settlement issue. Where these issues have been identified in the plan the associated Action Programme will set out what needs to happen to address the issue and who will be responsible for taking it forward.
- While the forward thinking approach to holistic planning of development is commended, it is considered that by merging allocations there would be a risk of not providing certainty to both the community and the development industry on what type of development will be suitable on that site. In addition it would be difficult to monitor the availability of different types of land uses in Highland which is required by Scottish Planning Policy.
- It is the intention that the Inner Moray Firth Local Development Plan takes a proportionate approach to development across the area and focuses development in areas which have sufficient infrastructure to facilitate development or where there are opportunities to deliver enhanced infrastructure to support additional development. By taking this approach it is acknowledged that there will be less detail for the smaller settlements, however there is a robust planning policy framework in place through the Highland-wide Local Development Plan (and the proposed "Other Settlements" policy of the Inner Moray Firth Local Development Plan) which will facilitate a level of development which will support and strengthen existing smaller communities.
- The Council will be taking a more place based approach to the Proposed Plan and this will include bringing forward the principles of Designing Streets and Designing Places as well as the new Architecture and Place Policy to give an idea of how places can grow and develop in the lifetime of the plan.
- With regard to use of Gaelic, The Highland Council have a Gaelic Language Plan and the use of Gaelic in our publications and developments, including road signage. The Gaelic Language Plan is available at <http://www.highland.gov.uk/livinghere/gaelic/gaeliclanguageplan/>.

Consultation and Plan Preparation Process

- The consultation events which were arranged gave people the opportunity to have an open and frank discussion with planning officers through the daytime drop in events and then to provide an opportunity to discuss and debate the wider issues and conflicting views on the development of the settlement and specific sites through the evening round table discussions. These were public meetings and anyone could attend and give their opinion on the future of their settlement.
- The Council is very keen to prepare Local Development Plans in a fair and inclusive manner. Therefore, with regard to the evening meetings we feel that by having the proposer of the site present as well as those representing the community that it provides an opportunity to have a more open discussion and it can mean that further information can be gleaned by both the community and the planning officials on the proposed development. With that said we have learnt a number of lessons through this consultation (such as improved posters for publicity and less use of technical language) and we will be seeking to take these forward through future consultation to enable a wider audience to engage with the development planning process.
- With regard to comments related to weight of individuals comments, all responses to the local development plan are given equal weight in the decision making process for the plan.

Call for Sites

- The call for sites is becoming standard practice to help identify new sites which could be considered through the Local Development Plan process. However, this is not the only way sites are identified, planners also identify potentially suitable sites and the sites which are allocated in adopted local plans are re-considered in line with the most up to date policy approaches.
- While this is the case we are required to identify reasonable alternatives as well as preferred sites. We do this by considering all of the submissions to the call for sites, existing allocations and further suggestions by the planning officers. This is done against a set of criteria which balances out the pros and cons of development on a particular site and the contribution it can make to delivering the vision and spatial strategy for the area.
- In undertaking the call for sites, there was widespread publicity in the local press and social media. Letters and e-mails were sent to all community council's in the plan area as well as those who have been asked to be kept informed of progress on the local development plan.
- While the Call for Sites forms did ask for some detailed information, all of this information is publically accessible. For future Call for Sites exercises it is envisaged that the forms will include further guidance on where to access the information to enable the process to be more accessible to all.

Timing of response

- The Council initially set a consultation period of 13 weeks from 5th April 2012 – 6th July 2012. While this is a significant period of time we recognised that this was close to the last workshop and as such if an extension to time for responses was requested by a member of the community then this was granted.

Plan Content

- While it is a matter of opinion that some sites included in the Main Issues Report were inappropriate, for a consistent and transparent approach all sites submitted to the Council as part of the Call for Sites were included if they were within or close to the existing settlement development area of a particular settlement.
- The purpose of the Main Issues Report was to stimulate a discussion on the future development of the Inner Moray Firth area. It is accepted that the Main Issues Report lacked detail on sites but in providing that detail it may have made the Main Issues Report less accessible. The Main Issues Report provided a tool for the consultation process, which when considered as a whole in terms of the consultation events (drop in sessions and workshops), interaction on social media and meetings with community groups did stimulate that debate within communities.
- The purpose of Mixed Use allocations are to provide the opportunity to support the more sustainable use of land. The Proposed Plan will include a list of the acceptable uses on a mixed use site but it won't identify an exact split on the site to retain an element of flexibility..
- The Highland Housing Strategy, identifies how groups of people with particular needs could be housed. Through the general policies of the Highland-wide Local Development Plan there are sufficient policies which will guide the development of supported accommodation and help to deliver the Housing Strategy. These are most likely to come forward on sites allocated for housing and to ensure a level of flexibility in the decision making process and delivery of the housing requirement specific sites will not be allocated for these types of specialist housing accommodation in the plan.
- It is agreed that the definitions provided in the glossary of the MIR for the Commerce and Commercial Centre are unclear and inconsistent with Scottish Planning Policy. Scottish Planning Policy (para 53) requires development plans to identify a network of centres, including town centres, commercial centres and other local centres. Para 54 explains that commercial centres are distinct from town centres as their range of uses and physical structure makes them different in character and sense of place. It notes that commercial centres generally have more specific focus on retailing or on retailing and leisure uses. Examples of commercial centres include out-of-centre shopping centres, commercial leisure developments, mixed retail and leisure development, retail parks and factory outlet centres.
- Based on the advice of Scottish Planning Policy it is therefore inaccurate to term and define all town and commerce centres in the Inner Moray Firth area 'commerce centres' as illustrated on the key and in larger settlement maps in the Main Issues Report. In the Proposed Plan, consistent with Scottish Planning Policy, a network of centres should be identified in the Proposed Plan, including a distinction between town centres, commercial centres and other local centres.
- The definition of commerce is considered acceptable in the context of the plan, whereby the term 'commerce' encompasses retail, office and leisure development (use classes 1-3, 7, 10 &11).
- The definition of town and commercial centres in the MIR is ambiguous and it is agreed it needs clarified. The Proposed Plan offers clarification.

Scope and Implementation of the Plan

- All planning applications require to be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- Each application also needs to be assessed on its individual merits and therefore

outstanding enforcement issues with a previous application cannot be used to restrict a development on a site unless there is a cumulative effect of a previous development and a proposed development on the same issue.

- Rationalisation of the existing Local Plans into a Local Development Plan which addresses the vision, spatial strategy and policy framework for the whole of Highland and then 3 area local development plans which set out a masterplan to achieve the vision and spatial strategies as set out in the Highland-wide Local Development Plan. This is considered that by taking this approach it means that there will be more of an opportunity to maintain an up to date Development Plan across Highland (i.e. no older than 5 years). The cycle of consolidation of the existing local plans and updates to the area local development plans reflect the areas where there is most demand for development and the greatest need for change.

Population and Housing

Summary of comments received:

Population and Housing Forecasts

- Dispute validity of population forecasts, projected growth and housing need in economic downturn – more realistic ones should be used for next draft as opposed to automatic assumption of high-end projections – less jobs and population.
- Assessment fails to distinguish between projections and aspirations. It has been publicly recognised by officials that housing targets are ‘ideal world’ and ‘optimal’. They assume a huge population influx and full delivery of affordable housing.
- Scale of housing in HwLDP is overestimated and unachievable and high migration scenario is unjustified, inappropriate and not credible. Last 2 years of population change is less than half that projected. Projections of 1650 population gain was identified by HIE as the minimum needed to give critical mass for A96 growth. Migration is net contributor to population change but has fallen over last 4 years and is unlikely to reverse because UHI will never attract larger numbers of international students. Although 10,000 permissions have been granted in A96 corridor there has been little building activity – current build rate and lack of money for social housing means annual shortage of 2,900 units from the HNDA/HwLDP targets. Need to make better use of existing housing stock.
- There appears to be room for manoeuvre when allocating figures to individual settlements.
- Inflated housing requirement has led to inappropriate settlement strategy and sites are allocated contrary to HwLDP policy incl. agriculture, coast, landscape, sustainability, emissions, HIC and ribbon development.
- With so many competing sites few developers would feel confident that they have critical mass of sales on which to proceed.
- Seek clarification of housing land requirement table 3 and its compatibility with the requirement figures in HwLDP. Either wording is misleading or figures need to be inflated 25%.
- Tables are confusing – population rises when housing doesn’t.
- Re tables on p7 - the housing numbers allocated to the small part of Badenoch & Strathspey covered by the Plan are too high for this rural moorland area with no essential services.

Council’s summary of responses to comments:

- The Main issues raised are very closely related and are in particular, over allocation of land, use of the high migration scenario and population projections.
- During the examination of the Highland-wide Local Development Plan, these issues were discussed and debated in considerable detail. In this regard the Reporter's Report of Examination (available online at <http://www.highland.gov.uk/developmentplans>) considered that the housing land requirement and population aspirations are reasonable. The following sets out the impact on these issues for the Inner Moray Firth Local Development Plan.

Housing

- Whilst the realities brought about by the economic downturn are recognised, the purpose of the LDP is to set the planning strategy and a framework for growth in the future. Whilst past trends are useful in understanding what is happening on the ground there are many factors that have to be considered when setting a strategy for growth. Scottish Planning Policy 2010 (SPP) requires Planning Authorities to utilise the Housing Need and Demand Assessment (HNDA) as the evidence base for defining housing supply targets in local housing strategies and allocating land for housing in Development Plans.
- The HNDA Guidance, Scottish Government, March 2008 indicates on page 44 that "Partnerships will also want to ensure that development planning embraces Government's aspirations for Scotland, reflected in targets for greater economic and population growth, that imply higher overall household growth than current projections indicate. Planning for housing should reflect the need to accommodate this."
- The HNDA Guidance sets out the approach to determining housing supply targets and these have been followed by the Council and as such the HNDA has been assessed as robust and credible and conforming with Government guidance by the Centre for Housing Market Analysis (Scottish Government).
- SPP, para.73, states that Local Development Plans "should identify the housing land requirement and allocate a range of sites which are effective or capable of becoming effective to meet these requirements up to year 10 beyond the predicted year of plan adoption, ensuring a minimum of 5 years effective land supply at all times. Local development plans outwith city regions should also provide an indication of the possible scale and location of housing land up to year 20 requirement"
- It further states, "The delivery of housing through the development plan to support the creation of sustainable mixed communities depends on a generous supply of appropriate and effective sites being made available to meet need and demand, and on the timely release of allocated sites."

In addition SPP indicates that the delivery of housing depends on "a generous supply of land for housing in the development plan will give the flexibility necessary for the continued delivery of new housing even if unpredictable changes to the effective land supply occur during the life of the plan. Consideration of the scale and location of the housing land requirement in development plans well ahead of land being required for development should assist in aligning the investment decisions of developers, infrastructure providers and others."

The Inner Moray Firth housing land requirement figures as set out in the Main Issues Report indicates the findings of the HNDA and takes account of the need to accommodate

choice and flexibility through:

- provision of a range of effective housing sites
- flexibility to accommodate the potential to accommodate development should sites not come forward
- early phases of development in the growth corridor to allow the delivery of a continuous supply of effective housing land

To briefly explain the construct of the Housing Land Requirement figure this is composed of separate elements

- Identified emerging and current housing need
- Backlog allowance to meet unmet housing needs and demand
- Acknowledgement of the ongoing levels of non-effective stock
- Flexibility and choice allowance to meet demand led development (25%)

Whilst the Population and household projections provide the evidence base for the housing land requirement. The levels of land requirement can be further considered through comparison with past growth and house completion rates in the area.

Concerns have been expressed in regards to the levels of housing land allocated within the Plan for the whole of the plan area. To give a context to the amount of housing land required we have used an average build rate derived from records between the year 2000-10 to form a further view of potential future build rates and land requirement. To be consistent with other considerations in the HNDA we include requirements to provide choice and flexibility and an allowance to address the backlog of housing need. The resultant land requirement bears comparison to the HNDA, with a similar scale of figure across the Inner Moray Firth.

Population

- The HwLDP indicates the use of the Highlands and Islands Enterprise (HIE) figure as an indication of the strategic approach to growth in Highland and the HIE wider area. The population of the HIE area stands at 392,600 and aspires to growing the population of the HIE area to 500,000 over the next 20 years.
- Between the period 2001-2011 Highland as a whole has seen the population increase by around 23,000. This is slightly higher than that projected by the high growth scenario.
- The levels of migration into Highland have decreased over the past 2 years but the longer term trends indicate that in-migrants to Highland will still be significant. Government moves to reduce in-migration relate to countries outwith the EU. Migrants to Highland mainly comprise those from the rest of Scotland and the UK and to a lesser extent migration from other EU countries.

Transport and Infrastructure

Summary of comments received:

Infrastructure

Welcome ongoing development of Inverness but provision of infrastructure extremely important.

Agree growth is needed but only hand in hand with adequate improvements to facilities and infrastructure. Community Councils can play important role in shaping the plan to

meet this objective and Council should collaborate with community for effective placemaking.

Concern that infrastructure issues are inadequately addressed.

Allocations should only extend to land where there is capacity in existing or capital programmed infrastructure.

Insufficient secondary school capacity in A96 corridor for development proposed

Development should be based on gradual, organic and proportional growth in step with infrastructure upgrades.

Green Infrastructure

Existing and potential Green Networks should be integral to choices over boundaries of sites. Plan should take strategic approach to site selection so that green networks are sufficient to protect.

Approach to open space in new development appreciated – but new community areas should be created in existing developments.

Transport

Large housing developments in rural villages not sustainable in transport terms.

Supports need for transport movements at A9/A96 at Inshes/Raigmore area but effects on existing landowners/businesses should be examined. Details of routing, timing and delivery of A9/A96 should be included.

Rail is key contribution to the vision and spatial strategy – but concern over level crossings. Council previously agreed that appropriate developer requirements would refer to level crossings.

Principles of green networks and more efficient travel means greater priority should be given to designing in active travel routes from the outset of all development. Better connections and integration needs to be part of the Plan.

Top 3 priority for Black Isle residents is P&R facility on north side of Beaully Firth, ideally at MU1 Tore, to act as transport hub and enable N-S and E-W bus connections and feeder services from Black Isle.

Focus should be on accessibility rather than mobility ensuring that services and facilities are accessible by walking, cycling and PT rather than reinforcing travel by private transport over long distances.

Nairn bypass must be high priority within national strategy – existing functions of town are already seriously constrained by current traffic problems. Future development must be conditional on improvement in the transport infrastructure and upgrading of sewage/drainage networks.

Transport Assessments (TAs) will be required to allow the specific mitigation measures to be agreed. Any transport interventions that emerge from the LDP process and that have

been fully assessed using DPMTAG (Development Planning and Management Transport Appraisal), and which also receive support in principle from Transport Scotland, will not need to be subject to further appraisal at a later stage. There are a number of sites in the MIR which have a direct impact on the trunk road network. Cognisance will have to be taken of these proposed developments and also those close enough to have an impact on the trunk road. TS expect that existing trunk road junctions will be used in preference to new junctions to reduce the impact on the trunk road network. Where developments propose a new junction to the trunk road, the development will be looked at in relation to surrounding proposals and an access strategy for the corridor will be examined so that developments are viewed in the wider context rather than on a piecemeal basis.

Without the size of developments it is not possible to establish the effect of each of them so Transport Scotland require that in advance of the PP this information is quantified and the effects are established. The comments are provided for sites which TS has not previously commented upon in the HwLDP and where TS considers there could be a potential impact to the trunk road network. In accordance with SPP, TS recommends that direct access onto any strategic road should be avoided as far as practicable. Access should be from a secondary road unless there is no alternative.

Council's summary of responses to comments:

Infrastructure

The Council did not intend to include information on infrastructure in the Main Issues Report . In preparing the Proposed Plan, the Council has taken a partnership approach to identifying what infrastructure is required and when it needs to be delivered to support development. The findings of this work will be set out in the Proposed Plan as indicative requirements for settlements and, where possible, individual sites. The Action Programme will set out how these infrastructure requirements can be delivered in partnership. The intention of the Main Issues Report was to give an overview of the particular issues relating to sites and settlements in the Inner Moray Firth area. The Highland-wide Local Development Plan ensures that a proportionate approach to developer contributions will be taken to ensure the right infrastructure is delivered at the right time to enable and support development. This is further supported by the approach set out in the Developer Contributions: Supplementary Guidance which shows the mechanism for obtaining developer contributions and process for delivery of infrastructure.

Transport

In developing the Proposed Plan a partnership group of The Highland Council and HiTrans working together with Transport Scotland to identify the necessary new and improved services and infrastructure to support development and to help create sustainable patterns of travel. The findings of this work will be included in the Proposed Plan and Action Programme.

Further details on how the Council will be bringing forward the principles of Designing Streets will be included in the Residential Layout and Design: Supplementary Guidance due for consultation later this year.

With regard to level crossings, where necessary developer requirements will be inserted into the plan to ensure due regard has had to the impact of development on level crossings. This approach is in line with Policy 57 Travel and Policy 30 Physical

Constraints of the Highland-wide Local Development Plan.

The Highland Council is very keen for the A9/A96 dualling projects to progress. These projects are also major priorities for the Scottish Government and have set a target for the delivery of A9 and A96 dualling by 2025 and 2030 respectively. While it is unlikely that detailed design work completed by Transport Scotland prior to publication of the Proposed Plan, we will include as much information as possible to inform the strategy for the settlement.

Green Infrastructure

The Green Networks: Supplementary Guidance sets the principles on which the Council will identify, safeguard and enhance green networks. This is part of the Development Plan and supports the implementation of Policy 75 of the Highland-wide Local Development Plan. While the green network of the site will have weight in the decision making process on the settlement strategy and the allocation of sites, it is considered that the green network can be a facilitating feature which enables the delivery of high quality development which integrates with green networks and aids the protection and enhancement of the network. Work is progressing on the Ross-shire Green Network and the priorities for delivery in the network will included in an annex to the Green Networks: Supplementary Guidance.

The Council have identified and safeguarded areas of high quality, fit for purpose and accessible open spaces in the main settlements across the Inner Moray Firth. Where there is a deficiency in a particular type of open space then it may be possible to seek developer contributions to addressing this deficiency but this can only be done where there is going to be an impact from new developments. The formation of new open spaces within existing developments should be addressed by the community through liaison with the owner of the land, this is not the role of the Local Development Plan.

Environment

Council's summary of responses to comments

Plan does not adequately address climate change, in particular section 72 of Climate Change (Scotland) Act 2009 which requires LDPs to contain policies to ensure that new buildings produce reduced levels of CO2 emissions. New policy suggested for climate change.

Plan is weak in dealing with environmental and sustainability issues – development needs to be considered in this context.

Important to preserve and provide better access to natural assets of landscape, views and existing amenities in order to recognise tourism as key component of local economy. LDP should recognise that landscape is a material consideration for all forms of development.

Focus should be on CO2 reduction including shift from fossil fuels to renewable resources.

Emphasis on safeguarding and enhancing special places welcomed – especially important along coast to sustain natural heritage.

Flood Risk

revisit allocations to avoid flood risk areas including pluvial

Risk of sea level rise means development on coastal fringe should be avoided.

Requests that housing is not situated in areas which flood as they have had problems with flooding.

Habitats Regulations Appraisal

SNH strongly advise that HRA is carried and applied prior to decisions on the Proposed Plan via appropriate developer mitigation requirements.

Water Environment

SEPA refers to policies 63, 65, 70, and 71 of the HwLDP and expects all developments to comply with these. SEPA do not expect all the 'developer requirements' references to public sewer connections, 6m water body buffers, managing waste, and safeguarding of waste management sites to be listed for every allocation except for certain specific sites which they have identified.

SEPA likely to object to certain sites where wetlands (protected under the Water Framework Directive) may be present on site unless a developer requirement to assess for wetlands and mitigate impacts if necessary is included.

SEPA have highlighted a number of sites where further flood risk assessment is required prior to their inclusion in the Proposed Plan and would object in principle to the inclusion of these sites without this assessment. Within Inverness there are a number of allocations close to the Caledonian Canal. SEPA recommends THC consult British Waterways regarding any impacts upon canal embankments.

Development Plans in future will require consideration of Flood Risk Management Plans. SEPA would advise that the location of the IMF LDP is within a number of PVAs (12 Potentially Vulnerable Areas). Any locations within a LDP outwith a PVA should not be assumed to be free from flood risk. SEPA has produced the NFRA (National Flood Risk Assessment) as the first stage of the Flood Risk Management Planning process. Further detailed information on each PVA is attached (see rep).

Continuing pollution is affecting Loch Flemington's conservation status, and it is currently classified as being in unfavourable condition in relation to most of its conservation objectives. Loch Flemington requires special measures to protect it so there is a need to adopt a pro-active approach to ensure future development can be accommodated locally whilst minimising additional pollution entering the catchment area and affecting this important Loch. SEPA notes Loch Leven in Fife suffers a similar problem and Perth and Kinross Council have adopted SG through their LDP which requires a high level of treatment for new waste water discharges and improvement to existing waste water discharges for the Loch Leven catchment area.

SEPA's work has determined the exact area which is in hydrogeological conductivity with Loch Flemington and would like this more focussed area used as a basis for future policy where developments could be assessed against specific SG adopted as part of the plan. Planning authorities are "responsible authorities" under The Water Environment and Water Services (Scotland) Act 2003 and as such are required to ensure compliance with the

Water Framework Directive and river basin planning process in carrying out their statutory functions. To achieve this, water bodies must be protected from deterioration and action taken to enhance and restore any that need improvement. SEPA would likely object unless specific policy or commitment was included in the Proposed Plan requiring developments within a newly agreed, smaller Loch Flemington catchment to comply with SG. SEPA would work with the Council to identify the small local catchment which could be shown in the Proposed Plan and associated inset maps for a full and proper community consultation.

Council's summary of responses to comments:

Climate Change

Once the Inner Moray Firth Local Development Plan is adopted it will be part of the Development Plan for Highland. The Development Plan also consists of the Highland-wide Local Development Plan and associated Supplementary Guidance.

It is considered that the provisions of the Highland-wide Local Development Plan with regard Policy 28 – Sustainable Design and the associated Supplementary Guidance (Sustainable Design Guide) give sufficient weight and guidance on moving towards developments which have less of an impact on climate change. In addition the Vision and Spatial Strategy seeks to direct development to existing settlements (with the exception of Tornagrain), which will enable development closer to existing facilities and infrastructure networks for public transport and active travel. This will help reduce the need to travel and in turn will have a lesser effect on carbon emissions. This approach has been supported through the examination on the Highland-wide Local Development Plan.

The plan will include a phrase to ensure the plan user is aware that the plan must be read in partnership with the Highland-wide Local Development Plan and associated Supplementary Guidance.

Flood Risk

The approach to flood risk in the development of the Plan has followed Scottish Planning Policy and the Policy approach in the Highland-wide Local Development Plan.

On sites where there maybe a risk of flooding, mitigation has been determined through consultation with The Highland Council's Flood Risk Management Team and SEPA and this will be included as developer requirements in the Proposed Plan.

A consistent approach to Flood Risk will be taken forward in the proposed plan.

Habitats Regulations Appraisal

Inline with Circular 1/2009 Appendix 1: The Habitats Regulations, the Council have been working in partnership with Scottish Natural Heritage to carry out a Habitats Regulations Appraisal to inform the Proposed Plan. The findings of this will be included as developer requirements in the Plan and a Habitats Regulations Appraisal Record will be published alongside the Proposed Plan.

The mitigation identified in the Habitats Regulations Appraisal will be carried forward into the Proposed Plan.

Water Environment

The proportionate approach to developer requirements is appreciated and through the how to read the plan section of the Inner Moray Firth Local Development Plan it will be clear what the development plan consists of and how the Highland-wide Local Development Plan and Inner Moray Firth Local Development Plan will work together.

The need to take due consideration of Flood Risk Management Plans is noted and will be considered in due course.

With regard to the impact of development on Loch Flemington, a pro-active approach is considered appropriate and as such The Council are keen to work with SEPA and SNH on this matter to protect and enhance the ecological status of Loch Flemington. We are aware of the Perth and Kinross Supplementary Guidance and we are supportive and open to bringing forward a similar piece of Supplementary Guidance for Loch Flemington. The hydrological connectivity study undertaken by SEPA will enable a boundary for where the policy will apply and we will be seeking to discuss this with SEPA and SNH in due course in developing a policy approach setting the principles and supplementary guidance to detail the approach which will be taken to development which has hydrological connectivity to Loch Flemington.

The proposed plan will contain a policy approach for development within the water catchment of Loch Flemington and announce the intention to produce Supplementary Guidance on the issue.

Issue	CROSS SETTLEMENT OBJECTIVES AND REQUIREMENTS
MIR reference:	Section 6.5
List of persons and organisations who submitted comments (including reference number):	
<p>Albyn Housing Society Ltd (00419), Avoch & Killen Community Council (00330), Balnagown Estate (00964), Beaully Community Council (00271), Cllr Kate Stephen (01348), Conon Brae Farms (01236), Dr Maria De La Torre (01205), Ferintosh Community Council (00910), Glenurquhart Community Council (00288), Heather Macleod And John Parrott (01193), Invergordon Community Council (00293), Inverness Estates (00944), J.E. And S.B Wood (01157), Kilmorack Community Council (00031), Kirkhill & Bunchrew Community Council (00302), Kylauren Homes (01128), Mackay, Robertson And Fraser Partnership (00962), Miss Annie Stewart (00757), Miss Mary Maciver (00883), Mr Alastair Dunbar (01015), Mr Alexander MacDonald (01227), Mr Alistair Duff (00877), Mr Anthony Chamier (00632), Mr Bob How (01047), Mr Brian Stewart (00993), Mr Charles Allenby (01232), Mr Craig MacRae (01260), Mr Eddie MacDonald (01249), Mr Forbes (00902), Mr Fraser Stewart (00407), Mr James Grant (00920), Mr James Kidd (00979), Mr John D Murrie (01182), Mr John Duncan (00915), Mr John Finlayson (00244), Mr John Ross (00016), Mr Jonathan Kerfoot (01052), Mr Kit Bower (00754), Mr Paul A. Ross (00786), Mr Paul Whitefoot (00973), Mr Peter Gilbert (00642), Mr Phil Anderson (01259), Mr Ross Glover (01170), Mr W Macleod (00912), Mrs C Wood (00948), Mrs Francis Tilbrook (01092), Mrs Karin Kremer (00729), Mrs Liz Downing (00892), Mrs Suzanna Stone (00017), Ms Anne Thomas (01208), Ms Christine Matheson (01203), Ms Hannah Stradling (01242), Ms Irene Ross (01159), Ms Jenny MacLennan (01237), Ms Lucinda Spicer (01200), Ms Marion Kennedy (01262), Ms Valerie Weir (01198), Munro Construction (Highland) Ltd (01235), Nicam Developments Ltd (00882), Nigg & Shandwick Community Council (00313), Novar Estates (00158), Raigmore Community Council (00314), Redco Milne Ltd (01251), Robert Boardman (00033), Scottish Environment Protection Agency (00523), Scottish Natural Heritage (00204), Strathdearn Community Council (00908), The Iain Elliot Partnership (00781), The Scottish Government (00957), Tulloch Homes Ltd (00393)</p>	
Provision of the development plan to which the issue relates:	Policy on developer objectives and requirements for multiple sites or cross settlement
Summary of comments received:	
<p><u>Support in Principle</u></p> <p>The vast majority of respondents support the principle of the proposed approach. One wishes it more rigorously applied.</p> <p><u>Changes of Emphasis</u></p> <p>Several respondents suggest changes in the policy's emphasis to ensure that:</p>	

- 1) developer requirements are not so onerous as to prevent the allocated development happening at all which will curtail much needed economic growth;
- 2) the policy should comply with the Government Circular on this issue;
- 3) developer payments and/or infrastructure provision can be deferred and shared over time to ease cash flow problems and ensure “the first developer in” isn’t burdened with a disproportionate share of contributions;
- 4) developer funded infrastructure should be provided on day one and not lag behind housing and other development;
- 5) wider public benefits of a scheme such as exceptional architectural design and layout are valued and this sum should be deducted from other developer contributions;
- 6) green networks and other natural heritage improvements are referenced;
- 7) smaller developments (under 4 houses) and those offering more than the required amount of affordable housing should have reduced or zero developer contributions;
- 8) densities of affordable housing sites can be increased to offset developer contributions;
- 9) all infrastructure capacities are assessed and any deficiencies worsened or created are resolved / contributed to including education, transport, sewerage and flood risk;
- 10) developers should also resolve existing deficiencies where possible – e.g. pick up existing septic tank / soakaway properties when helping fund first time mains sewerage provision;
- 11) direct developer provision and maintenance is seen as an alternative to contributions;
- 12) where larger developer contributions are involved the related applications and legal agreements are processed and administered faster;
- 13) compliance with this policy shouldn’t outweigh non compliance with others within the development plan – i.e. the “buying” of a planning permission through the offer of a large developer contribution.

Disagreement in Principle

- One respondent disagrees with the Council’s approach because developments that require significant developer funded mitigation are too big and shouldn’t be allowed and smaller developments with smaller impacts can be mitigated out of the Council’s normal budgetary provisions.
- One respondent believes that multiple site or cross settlement requirements are, by default, not directly related to a particular development and therefore are at odds with the national Circular on this issue. Another, that impacts occur across very wide areas for larger developments such as wind farms and therefore that contributions should be sought and dispensed across similarly wide areas.
- One respondent believes the HwLDP already provides adequate policy coverage on this issue.

Modifications sought by those submitting representations:

- The majority of respondents support the policy and seek no modifications.
- Many request unspecified amendments to address the issues listed in points 1-13 above.

Council’s summary of responses to comments:

The Need for this Policy & Support in Principle

Majority support is noted and welcomed. The Council's March 2013 adopted Developer Contributions Supplementary Guidance (SG) and related "parent" developer contributions general policy in the Highland wide Local Development Plan (HwLDP) now establishes the principle of multiple site and cross settlement developer contributions. Therefore, there is now sufficient policy coverage to "hook" the settlement-specific requirements contained in this Plan without the need for an additional general policy on this topic in this Plan. Accordingly, this policy should not be retained.

However, the Plan takes a vital, pro-active and co-ordinating role in establishing placemaking and other objectives. It addresses multiple site, settlement wide and strategic developer requirements by listing these elsewhere in this Plan. Infrastructure requirements have been established via meetings with Council Services and other relevant providers and the methodology has included an assessment of existing capacities, the likely impact of preferred development sites and the resultant improvements required.

Changes of Emphasis

1) Developer requirements are intended to offset the impact of development. There is some flexibility in that developers can demonstrate that abnormal development costs apply to a given site and seek a reduction (see also 3 & 4 below re. phasing of contributions). However, to ignore known impacts and allow development just to foster short term economic growth will only store up future public expenditure liabilities thus constraining longer term economic growth prospects.

2) The HwLDP and related SG are fully compliant with Circular 3/2012 Planning Obligations and Good Neighbour Agreements and have been cleared for adoption by Scottish Ministers. It is normal practice that legal agreements are worded to ensure that contributions are ring fenced for their intended purpose. Indeed developer claw-back of contributions may occur if they are not.

3 & 4) Phasing of developer payments and/or infrastructure provision relative to the phasing of development is a complex issue that is best dealt with on a case by case or site by site basis rather than in overly prescriptive policy. This is because local circumstances vary markedly. Road link improvements for example would normally be specified after a certain number of houses are developed within an area – i.e. the capacity of the local road network has been reached. School provision will be required when the local school capacity is set to be breached. Bus provision subsidies in contrast would normally be required early on in a development so that householder behaviour can best be influenced and in the later phases the service may become commercial and therefore no subsidy would be required. Phasing will also relate to the state of the local property market. In buoyant conditions, where developments will happen/sell/let faster (and their impact will be felt sooner) and developer's cash flow issues will be less relevant then requiring expensive supporting infrastructure on day one would be more reasonable. In stagnant market conditions deferment of improvements may be more reasonable particularly where they allow economic growth that would otherwise not happen or be lost to competitor locations. For large, allocated, development areas with multiple ownerships the Council will input to developer produced masterplans or will produce its own development briefs to

co-ordinate private sector interests ensuring, as far as possible, that developments costs and development values are equalised sufficient to enable growth.

5) A high standard of architectural design and layout are expected from all developers as a matter of course. However, the Council's adopted guidance on this issue does include provision for public art and an allowance for demonstration of abnormal developer costs. A developer promoting a scheme of such exceptional architectural quality that it could be considered as a "conservation area of the future" and/or could demonstrate abnormal site costs in terms of high quality and relatively expensive materials such as natural slates and stone could seek a reduction in contributions on this basis.

6) Green networks and other natural heritage improvements are best secured by direct, on-site developer provision and maintenance not by a financial contribution that can often be piecemeal and spread over a long time period. The HwLDP and related SG contains adequate policy coverage on this issue.

7) The Council's approved policy on this issue applies a threshold of 4 housing units to most developer contributions and therefore smaller developments will have reduced or zero developer contributions. However, required contributions should be directly related to the impact of a particular development and therefore increasing one type of contribution and reducing another is not desirable.

8) Affordable housing developments have similar impacts to other forms of development and should not be exempt from developer contributions. Affordable scheme densities tend to be higher than private schemes because of their generally smaller housing units. Increasing densities simply to offset contributions is undesirable because an appropriate density should take account of the pattern and character of surrounding land uses and the site-specifics such as site size, shape, physical constraints, microclimate, environmental constraints etc.

9) Education and transport capacities are assessed and covered in detail within the approved SG. Water and sewerage provision rests with Scottish Water and is covered by a separate and complex funding mechanism. Larger assets such as new sewage works are funded directly by Scottish Water whereas on-site works and smaller network improvements are funded by developers albeit with some public subsidy. Accordingly, the Council doesn't seek developer contributions towards water and sewerage provision. We do however, in choosing which land to allocate for development, take account of where spare water and sewerage network capacity exists, will be provided by Scottish Water in the future or can be added by developers in the most cost effective manner. Flood risk avoidance is a key principle embodied in national policy and this Plan. However, where mitigation is necessary the Council's approved SG seeks direct developer provision of or off site contribution towards more strategic flood mitigation measures.

10) Resolution of existing deficiencies should, in principle, be met from the public purse. It is unreasonable to refuse a planning application simply because it does not fund the resolution of existing problems. Contributions should be sought proportionate to the impact of the new development. In practice, how much an existing deficiency is worsened by a new development is difficult to assess. In several cases costs are shared between the public and private purses.

11) The Council agrees that the private sector can often provide “public” functions such as open space maintenance as efficiently as the Council. The Council’s SG and Scottish Water allow alternative private provision and maintenance where this is to a suitable specification.

12) All applications and agreements should be processed timeously. The size of the contribution shouldn’t be relevant. Indeed larger contributions tend to be associated with larger applications which tend to be more complex, have lengthy associated legal agreement(s) and are therefore more time consuming.

13) The policy is not recommended for retention. However, a developer’s preparedness or otherwise to offset the impacts of its development is a material planning consideration and can now be offered by the developer unilaterally. It is not an over-riding one.

Disagreement in Principle

- Larger developments cannot simply be placed where spare capacity already exists in terms of roads, education, sewerage and other infrastructure networks. There are few if any such locations in Highland. Therefore this would equate to placing an embargo on any large scale development proposals in the Plan area which would be unreasonable and at odds with the Scottish Government’s aim of promoting sustainable economic development.
- Contributions sought towards “strategic” improvements across wider catchments are common place and permissible under the relevant Circular but must have a proven non de-minimis link with the development.
- The existence (now) of adequate development plan policy coverage is accepted.

Recommended Proposed Plan Content:

The MIR “general policy should not be retained. However, placemaking and other objectives plus multiple site, settlement wide and strategic infrastructure developer requirements will be listed elsewhere in the Plan and its Action Programme.

Issue	HINTERLAND BOUNDARY
MIR reference:	MIR 6.6
List of persons and organisations who submitted comments (including reference number):	
<p>Albyn Housing Society Ltd (00419), Ardross Community Council (00267), Conon Brae Farms (01236), Dietrich Pannwitz (00867), Dr Maria De La Torre (01205), Dr Ros Rowell (00885), Ferintosh Community Council (00910), Fortrose And Rosemarkie Community Council (00286), Glenurquhart Community Council (00288), Hazel Bailey (00638), Heather Macleod And John Parrott (01193), Helena Ponty (00634), Highland Planning Consultancy (00963), Hugh Tennant (00643), Invergordon Community Council (00293), J.E. And S.B Wood (01157), Killearnan Community Council (00297), Kilmorack Community Council (00031), Kiltarlity Community Council (00299), Kirkhill & Bunchrew Community Council (00302), Knockbain Community Council (00303), Kylauren Homes (01128), Lochluichart Estate North (00916), Mackintosh Highland (00887), Mackintosh Highland (00890), Miss Annie Stewart (00757), Miss Mary Maciver (00883), Miss Rachael Crist (00772), Miss Susanna Leslie (00888), Mr Alexander MacDonald (01227), Mr Alistair Duff (00877), Mr And Mrs McArthur (01060), Mr Andrew Currie (00658), Mr Angus Mackenzie (00992), Mr Anthony Chamier (00632), Mr Anthony Neil Morey (00774), Mr Aulay Macleod (00637), Mr Bob How (01047), Mr Brian Stewart (00993), Mr Charlie And Sonia Ramsay (00894), Mr Chris Barnett (01008), Mr Craig MacRae (01260), Mr Donald Leith (01121), Mr Ed Macdonald (01013), Mr Eddie MacDonald (01249), Mr Evan McBean (01204), Mr Forbes (00902), Mr Fraser Stewart (00407), Mr George Baxter Smith (00654), Mr Grant Stewart (01097), Mr Hamish D Maclennan (01080), Mr James Kidd (00979), Mr John Duncan (00915), Mr John Finlayson (00244), Mr John Hampson (01119), Mr John Keast (00705), Mr John Ross (00016), Mr Jonathan Kerfoot (01052), Mr Kit Bower (00754), Mr Paul A. Ross (00786), Mr Paul Whitefoot (00973), Mr Peter Batten And Denise Lloyd (00878), Mr Peter Gilbert (00642), Mr Robbie Munro (01228), Mr Roderick Mackenzie (01210), Mr Ross Glover (01170), Mr Ruairidh Maclennan (01019), Mr Wallace Grant (01115), Mrs Ann Macleod (00639), Mrs C Stafford (00511), Mrs C Wood (00948), Mrs Francis Tilbrook (01092), Mrs Janis Keast (00707), Mrs Karin Kremer (00729), Mrs Liz Downing (00892), Ms Anne Thomas (01208), Ms Caroline Stanton (00943), Ms Christine Matheson (01203), Ms Eleanor Ross (01136), Ms Emma Jones (00976), Ms Floris Greenlaw (01206), Ms Hannah Stradling (01242), Ms Irene Ross (01159), Ms Jenny Maclennan (01237), Ms Lucinda Spicer (01200), Ms Marion Kennedy (01262), Ms Pat Wells (01301), Ms Valerie Weir (01198), Munro Construction (Highland) Ltd (01235), Neil Sutherland Architects (01233), Nicam Developments Ltd (00882), Nigg & Shandwick Community Council (00313), Raigmore Community Council (00314), Robert Boardman (00033), Roderick And Livette Munro (01161), Scottish Environment Protection Agency (00523), Scottish Natural Heritage (00204), Strathdearn Community Council (00908), Tain Community Council (00322), Tarbat Community Council (00323), The Iain Elliot Partnership (00781), The Nairns Estate (00214), The Scottish Government (00957), Wood (00776)</p>	
Summary of comments received:	

General

The majority of comments received generally agreed with the Council's existing approach and extent of the preferred Hinterland boundary as defined around the major Inner Moray Firth towns. Other comments did not agree with the hinterland boundary or the policy itself.

Comments also considered that design quality for housing in the countryside is key but recognises that due to there often being no chartered architect involvement design quality is sometimes missing. Considered there should be circumstances where hinterland housing development should be more positive if a design process is undertaken by a RIAS/RIBA chartered architect.

Further comment questions whether the Council is maintaining its current approach as it has evidence to show that it is fulfilling its objectives. Believes that the best policy is one which delivers the desired controls and prevents inappropriate ribbon-type development e.g. Scotsburn and Lamington.

Clarification was sought on the object of the policy as to will the protection be superior or inferior to that provided by retaining the hinterland boundary? Why seek a contraction in areas within and adjacent to the existing housing cluster if the cluster is to be protected anyway?

Comments also considered housing pressure on the hinterland is due too many peoples desire to live in areas with suitable space and green areas. Feels the promotion of individual parcels of land and smaller scale developments within Inverness rather than large scale developments by volume builders which dominate Inverness.

Housing Groups and Other Settlements

Comment sought endorsement of a housing in the countryside group at Little Cantray as having potential for 5-8 houses because: grouped development is better than ad-hoc single houses that have been developed in the Cantray area over recent years. Other comment was submitted seeking inclusion of an area of land associated to a group of houses, at Greenleonachs, as an allocation within the Proposed Plan. The respondent considered that the proposal accorded with the adopted policies of the development plan.

Comment was also made that Jamestown should be maintained as a "contained settlement" as per the current policy BP2 in the Ross and Cromarty East Local Plan.

Glossary definition

The definition on hinterland in the glossary of MIR was considered extremely confusing and lacks clarity. Croy workshop did not get to grips with the issues on this matter. There is a satisfactory definition of Hinterland in the glossary of the Development Plans' Team blog.

General boundary comments

Comments received regarding the hinterland boundary voiced concern that the existing boundary results in considerable divergence of approach to development on either side of a settlement boundary. Would prefer a more flexible approach to appropriate rural

development that is in keeping with local settlement patterns, sympathetic to the landscape and does not put undue strain on other rural service network issues. Other comment wished to see the boundary reduced because it stagnates, displaces and re-focuses development to the edge of the hinterland boundary, pushes development into rural areas with limited infrastructure and increases commuting to Inverness, impacts on land values due to being either in or out of the restricted development boundary which leads to speculative developments.

2km buffer

Of the alternatives suggested there was a level of support for the 2 km buffer area around settlements, many viewed this as an addition to the approach of the existing housing in the countryside (hinterland) policy approach. The 2km buffer received limited support as a separate policy device; it appears from most comments that the 2km buffer was considered appropriate as a potential addition to the hinterland boundary where no development would be allowed. Others objected to the suggestion of a 2km mini green belt for the following reasons, it stops organic growth of incremental development within and around existing settlements, it provides a barrier to access to land for growing enterprises not suited to industrial/business land allocations that can be legitimately connected with suitable house development.

Contin

Comment was received objecting to Contin being within the Hinterland area because of the facilities lost to the village over the last decade and because this presumes for over development.

Comments received in relation to Main Issues Report suggested boundary expansion and contractions.

Extension of the boundary to the north of Ardross, Easter Ross to incorporate land north of Stittenham

Comments consider the suggested Hinterland Expansion shown for Ardross as appropriate and are happy with outline of the area as indicated, the landscape is already being spoilt by random development and the area contains the catchment for the Loch Acnacloch SSSI/SAC.

Other comment did not consider that any extension, at Ardross, is appropriate and considers the policy over-restrictive, houses in attractive rural locations are supported by Scottish Planning Policy as providing market choice; the location is sustainable.

Extension of the boundary south-west of Kiltarlity

Support was expressed for the preferred Hinterland boundary, however also support the suggested expansion area around Kinerras. Kinerras is not an independent community and development should be considered in the context of Kiltarlity as a whole as it has the same school catchment area, post office etc and is dependent on the same services and infrastructure.

Extension of the boundary further west within Glen Urquhart

Glenurquhart Community Council object to the current boundary, they consider the road to be an inappropriate boundary as this creates policies either side of the road. Recommend that the boundary should lie at least 2km from the road or follow geographic features, and

therefore specifically recommend 2km west of Culnakirk or to follow Allt a Phuiul.

Extension of hinterland boundary to include Bunloit

Glenurquhart Community Council consider that the whole of Bunloit should be within the Hinterland due to access and water constraints.

Comment was also received supporting the Council's non-preference to the expansion of hinterland at Bunloit because as a distinctive, established and dispersed crofting community not a commuter overspill area for Inverness sufficient controls exist within the Wider Countryside policy to control issues such as siting, design and servicing; the area is 24 miles from Inverness and outwith reasonable commuting time/distance by car or public transport; there is no evidence of commuter demand for this area; there is no evidence of how the landscape and/or servicing capacity of the area will be breached by further development. The expansion would be inconsistent with other areas such as the Seaboard villages area which is within commutable distance of Tain but is classified as wider countryside.

Contraction of the boundary to the south of Dores to Farr and Torness

Comments disagreed with the alternative to contract the boundary south of Dores as this would encourage further development with potentially adverse effects upon Loch Ashie and Loch Ruthven SPAs. Also comment felt that the boundary as stood was not reflective of the landscape and topography in particular where the boundary runs from Brin Rock across the B851 to the River Nairn cutting a field in half.

Objection was raised to Dores to Farr being removed from the Hinterland or to establishing a green belt around settlement, preference would be to include the whole of the IMFLDP area within the Hinterland.

Comment preferred a wider hinterland boundary to protect greenspace and to prevent overstressing infrastructure. Concerned about the impact on services/infrastructure, the landscape, and habitats from recent ribbon expansion in Strathnairn.

Further comment stated that there is a need to safeguard the traditional character of Torness which is not linear development, and to safeguard the existing private water supplies as more houses would endanger supplies, also the road network and condition make it unsuitable for commuters to Inverness. Small urban plots are inappropriate in this type of area as they do not allow for self-sufficient enterprises.

Comment would like to see the boundary reduced at the south side of Loch Ness and Dores and around Loch Duntelchaig to allow for both residential and small scale commercial enterprises.

SEPA generally agree with the Council's preferred approach as piecemeal housing development can lead to a proliferation of private waste water drainage systems and associated environmental problems. It is SEPA's understanding that there may be significant development pressure around the Torness and South of Dores to Farr areas due to the proximity to Inverness. SEPA's preference would therefore be that these areas are kept within the hinterland boundary to prevent an increase piecemeal housing development and associated environmental impacts.

Further suggested changes to the hinterland boundary

Comment considered that the hinterland policy is overly-restrictive around Tain, depriving local people of proper choice and potential affordability of individual new housing. Boundary should be withdrawn south from Tain at least as far as Kildary junction or where it meets the access across the railway line into the less restrictive policy area and north-east across to Lamington. Railway line is considered an arbitrary policy border and unless full justification of the hinterland policy application in terms of its relevance to the Tain area is forthcoming, then this historical zoning should not continue.

Other comment indicated that the hinterland Boundary should be extended to cover the area between Portmahomack and Tain and from Portmahomack down to Rockfield. This is due to the landscape impacts, costly service implications and the reasons for the rural development area designation from the Ross and Cromarty East Local Plan no longer being applicable to Portmahomack and it's hinterland.

Strathdearn Community Council suggest extension of the hinterland boundary to approximately the Slochd covering 2km either side of the A9 to manage the demand around Tomatin driven by its good A9 access and schooling. There is limited road network capacity and the water quality of the Findhorn (an important salmon river) needs to be protected from diffuse pollution. Considers that it would be better to concentrate development in Tomatin close to mains services, infrastructure and facilities.

Supports suggested contraction of the Hinterland boundary south of Dores to Farr but considers it should be contracted further to exclude the settlement of Croft Croy, meaning contracting the hinterland boundary to School Wood. Considers that contracting the hinterland boundary in this way will ensure that existing housing clusters are maintained, development is directed to the right locations and the landscape is protected from adverse sporadic development that would not be characteristic of rural locations.

Summary of suggested boundary changes

In light of the above 4 suggested boundary amendments (above) the following sites were subject to consultation as part of the **Alternative Sites and Uses consultation**. This consultation attracted the following comments.

Alternative sites and Uses consultation

Please note that the names and reference numbers for comments submitted on this specific consultation are not listed in this document.

NS1 Non Preferred Suggested Contraction - North of Kildary, Easter Ross

Comment received indicated that contraction of the hinterland boundary in this location clearly cannot be justified.

NS2 South of Dalmagarry to Slochd A9 (T) and NS3 Tain to Portmahomack/Rockfield

No comments were received in respect of these areas in response to the consultation.

NS4 Non Preferred Suggested Contraction Croftcroy

Comments received in respect of this potential further contraction at Croftcroy related to concerns about the impact on the area, previous planning appeals, traffic safety, archaeological interest, woodland impact increased impact of further septic tanks, flood

risk, impact of further development on the countryside, woodland, wildlife and existing properties. Concerns exist regarding the impact on School Wood and community plans to join the woods by footpath if further development increased in the area. Comment suggested that retention of the current policy framework would be more appropriate in this area.

General

Comment was received indicating that the section, relating to hinterland boundary changes, on the website is not easy to understand and it is also difficult to understand what difference any proposed hinterland boundary change makes to how development would be restricted within and outwith this boundary.

Modifications sought by those submitting representations:

- Supports the Council's preferred approach.
- Change to policy approach.
- Inclusion of boundary extension in the Ardross area.
- Amend boundary to lie 2km west of Culnakirk, or to follow Allt a Phuiul, also consider that the whole of Bunloit should be within the Hinterland.
- Inclusion of 2km restricted development buffer around all major towns and villages
- Inclusion of a 2km buffer around towns to protect settlement settings in addition to hinterland.
- Inclusion of 2km option as well as retaining hinterland boundary
- Withdrawal of hinterland boundary around Tain as far as Kildary.
- Extend the hinterland boundary to cover the area between Tain and Portmhomack and Portmahomack and Rockfield
- Modification to the exceptions in the HiC Policy to allow more flexibility for proposals which have been subject to a design process by a RIBA/RIAS architect.
- Amended hinterland definition to be included in the glossary of the Proposed Plan. Removal of hinterland altogether
- Inclusion of the entire IMFLDP area within the hinterland.
- Seeks change in parent HwLDP Housing in the Countryside Policy to allow well designed (appropriate to context and location) houses anywhere within the Hinterland.
- Inclusion of Jamestown as a defined settlement.
- Contraction of Hinterland boundary to exclude Croft Croy
- Extension of the hinterland boundary to approximately the Slochd covering 2km either side of the A9.
- Contraction of the boundary south of Dores and Torness.
- Expansion of the hinterland boundary to include Bunloit.
- Inclusion in Proposed Plan of a housing in the countryside group at Little Cantray as having potential for 5-8 houses.
- Boundary reduced at the south side of Loch Ness and Dores and around Loch Duntelchaig to allow for both residential and small scale commercial enterprises.
- Policy should be relaxed to allow for single plot eco-homes to be built and commercial ventures in land used for woodland commercial.
- Removal of hinterland boundary and management of housing in the countryside through policy approach.

- Expand hinterland boundary to include Eskadale and Polmally.
- Removal of Contin from the hinterland.
- Contraction of hinterland boundary to the south of Inverness

Council's summary of responses to comments:

General

The Inner Moray Firth Local Development Plan gave opportunity to re-assess and consult on the extent of the existing hinterland around towns boundary that forms the spatial element of the Highland-wide Local Development Plan Policy 35 Housing in the Countryside (Hinterland areas). The previous extent of the boundary had been defined during the preparation of this Plan's predecessor Local Plans. The consultation on the boundary considered representations from all parties which were considered alongside an evidence base relating to housing pressures experienced in localities and also housing needs in these areas.

Of comments received during the consultation on the Main Issues Report there was a balance of comments received in respect of the proposed changes consulted on. Comment received differed between those seeking further restrictions and those supporting the removal of controls across all countryside areas.

General comments seeking a change to the policy itself are not the subject of consideration in this consultation with the policy approach already established in the Highland-wide Local Development Plan. In order, however, to clarify the current policy position the Council maintains a two tier approach to identifying the potential for housing development within the countryside.

- Policy 35 Housing in the Countryside (Hinterland areas) applies to areas within the hinterland around towns where housing development pressure in the countryside is greater due to commuter demand and greater control is applied;
- Policy 36 Development in the Wider Countryside applies to more rural areas where the levels of development are considered less of an issue and where a more permissive approach to housing development applies.

Therefore the expansion of the hinterland will bring with it a greater degree of control over housing development whereas contraction of the boundary will lessen the controls on the affected area. In both policy approaches there is a focus on the siting and design of development proposals.

The HwLDP and the associated supplementary guidance Housing in the Countryside and Siting and Design Guidance provides greater detail and guidance on opportunities for development both in the hinterland and the wider countryside. This policy approach alongside the various exceptions to the policy has seen an increase in house development opportunities while also managing the environmental and visual impact of development on the countryside asset of the area.

Housing Groups and Other Settlements

In respect of smaller groups of houses such as at Little Cantray and Greeleonachs, the HwLDP Policy 35 Housing in the Countryside (Hinterland areas) and the associated

Housing in the Countryside and Siting and Design Supplementary Guidance already provides opportunity for new development where these constitute infill or rounding-off of existing groups. This policy mechanism is well established within the Development Plan and obviates the requirement to specifically identify these small scale development opportunities by adopting a criteria based approach to determining development proposals. Therefore the Plan will not specifically identify these small housing groups.

Comment was also made in regard to settlements where the Plan will no longer provide a boundary defining them as a settlement. The majority of those that had a settlement boundary in existing Local Plans will have development proposals identified under the Other Settlements policy, these being where a community facility lies at the heart of existing development and provides an “anchor” for the development potential of the surrounding area. These settlements will be listed under the Other Settlements policy within the Plan. Smaller groups of houses such as Jamestown, where no “anchor” is present will now fall to be considered under the Housing in the Countryside policy in the consideration of the potential for development.

Glossary definition

The definition of hinterland in the glossary is accepted as being overly complex and a simplified version will be used in the Proposed Plan.

General boundary comments

As explained above there are two tiers to housing development in the countryside. Which thread of policy applies is determined by the defined extent of the hinterland boundary. The existing boundary has been established through the development of the area local plans. Its extent represents a consideration of the level of development pressures on countryside areas and takes account of changes in character in the countryside. The policy as explained above does offer a number of opportunities for development in the hinterland area while protecting the landscape character of the area.

2km buffer

Comments offered a variety of views on the benefits or otherwise of a 2km buffer with many respondents seeing it as an additional policy tool to the existing hinterland boundary rather than a replacement. It is not considered that the addition of a 2km no development area is required as existing policy does not support unplanned development immediately outwith existing settlement boundaries. The point was made in comments that this would restrict organic growth of settlements but this aspect of development forms part of the consideration in defining settlement boundaries. Equally the relatively limited extent of the 2km buffer would encourage growth immediately outwith the boundary to the detriment of the surrounding countryside area. It is therefore considered that the 2km buffer does not form an appropriate alternative to the existing hinterland approach.

Contin

Comment was received in relation to Contin and the impact of the hinterland on the development opportunities and loss of facilities as a consequence. Contin appears within the MIR as a defined settlement and this brings with it the focus for development to take place within the settlement and assist in the support of facilities. It is considered that the comments reflects a basic misunderstanding of the role of the hinterland, which is intended to focus development within settlements whilst also protecting the valuable countryside asset.

Response to comments received in relation to Main Issues Report suggested boundary expansion and contractions.

Extension of the boundary to the north of Ardross, Easter Ross to incorporate land north of Stittenham

Development pressure in this area has been evident since the definition of the hinterland boundary in the preparation of the Ross and Cromarty East Local Plan 2007. Applications have been lodged seeking further development at Stittenham and to the east of the B9176 at Drovers Stance. From the evidence of these applications and approvals there is an increasing pressure on this rural area. In order to better manage development in the area the extension of the hinterland boundary is appropriate. This will provide a more robust approach to further development in the area while still allowing the potential for the consolidation of existing housing groups.

Extension of the boundary south-west of Kiltarlity

This area is strongly associated with the settlement of Kiltarlity and development in the area should be viewed in relation to the proximity of an identified land supply in the village as well as the availability of existing services, facilities and poor infrastructure in the area especially the single track road network.. The extension of the settlement boundary will assist in focusing development to the available land supply and better support the available services. It is therefore considered that the extension of the hinterland boundary is appropriate.

Extension of the boundary further west within Glen Urquhart

The current hinterland boundary follows the A833 northwards from Milton, this presents a situation whereby differing sides of the road adopt a differing policy approach to housing development in the countryside. The road does not in this instance form a natural defining boundary and delivers an inequitable situation, the situation would be better served by the delivery of a boundary following contours set back from the road to create a boundary that reflected the development potential of the area. It is therefore considered that the extension of the hinterland boundary is appropriate.

Extension of hinterland boundary to include Bunloit

Since the definition of the hinterland boundary development pressure has been apparent with applications seeking further development to the south-west of Bunloit, evidencing increased pressure on this rural area. In order to better manage development in the area the extension of the hinterland boundary is appropriate. This will provide a more robust approach to further development in the area while still allowing the potential for the consolidation of existing housing groups. In reference to the comparison to the Seaboard villages area, the exclusion of the Fearn Peninsula from the hinterland reflected the ongoing depopulation of the area and the need to have a policy approach to development that stimulated both population and economic growth, which differs from the situation in the Bunloit area.

Contraction of the boundary to the south of Dores to Farr and Torness

Development pressure that is commuter driven is evident from the number of planning applications submitted in the Farr/Balnafoich area, lying to the north-east of the suggested contraction, where the Council has prepared a policy advice document to aid the consideration of applications. It is considered that contracting the boundary in this area

would only serve to concentrate development pressure in this general area.

To the west of the suggested contraction there has been less pressure for development in the countryside around Dores. Development within Dores is constrained by various factors including land availability. A contraction of the hinterland boundary will offer the potential for development in the rural areas close to the settlement and alleviate the unmet housing need in the area. It is therefore considered that the contraction of the hinterland boundary is appropriate to an area limited to the immediate south of Dores.

Alternative sites and uses consultation

Please note that the names and reference numbers for comments submitted on this specific consultation are not listed in this document.

NS1 Non Preferred Suggested Contraction - North of Kildary, Easter Ross

In particular regard to Tain there continues to be demand for housing within the hinterland areas around the settlement. Considering the level of housing development taking place in and around Tain, development within the rural area equates to 16% of all development over the period since introduction the Housing in the Countryside policy in the 2001 Structure Plan. This represents a significant proportion of all housing development for the settlement and its hinterland and illustrates that not only does the policy offer opportunity in the hinterland areas surrounding Tain but also demonstrates the relative pressures for housing development within the immediate countryside area. It should also be noted that this figure does not include refusals on applications that do not accord with policy. In addition to these considerations potential for housing development lies in close proximity in the Fearn Peninsula which was excluded from the defined hinterland area to encourage housing development to underpin a falling population and to support existing services and facilities within the area.

In addition, as noted above, the Supplementary Guidance: Housing in the Countryside and Siting and Design advances the guidance on where potential for development within the pressured hinterland area lies. The approach taken is aligned with national policy as contained within Scottish Planning Policy. The Housing in the Countryside policy and the Supplementary Guidance seek to allow for a generous supply of housing land to meet requirements in rural areas through opportunities for small scale development in existing groups. The retention of a hinterland boundary will continue to allow the identification of opportunities in the hinterland around Tain without the suburbanisation of the countryside areas immediately around Tain. Policy 37 Wider Countryside additionally offers a wider range of development opportunities in rural areas more remote from main population centres. This approach is consistent with the aims of Scottish Planning Policy in relation to rural development.

It is considered that given the ongoing housing pressures in the hinterland around Tain combined with the opportunities presented through the Supplementary Guidance that the existing defined hinterland boundary provides the correct balance to management of development in the area. It is therefore considered that the contraction of the hinterland boundary is not appropriate.

NS2 - South of Dalmagarry to Slochd A9 (T)

No comments were received in respect of this non-preferred extension. The area surrounding Tomatin has been subject to pressure for proposals for housing in the areas

surrounding the settlement. The lack of adequate drainage in the village has led to a localised issue where development proposals outwith the settlement are being brought forward. This issue does not appear to be driven by an Inverness based commuter market at this time and investment in an adequate sewerage solution for the settlement should reduce pressure for development in the countryside around Tomatin. It is acknowledged, however, that improvements to the A9 (T) road will increase the potential for commuter based housing development. The Council will continue to monitor development pressure on this basis with a view to a future review hinterland boundaries. It is therefore considered that the expansion of the hinterland boundary is not appropriate at this time.

NS3 - Tain to Portmahomack/Rockfield

No comments were received in respect of this non-preferred extension. The extension of the hinterland boundary to cover the northern part of the Fearn Peninsula was sought. The current policy approach (HwLDP and RACELP) had considered the area would benefit from a more permissive approach to housing proposals in the countryside in order to support existing services and facilities at risk from a declining population. The approach has helped deliver an upturn in housing development to the area, however concerns have been raised as to the visual impact of development that has taken place. The Council's Supplementary Guidance: Housing in the Countryside and Siting and Design provides guidance on issues to consider when developing proposals for housing development in rural areas including considerations of design, the existing settlement pattern, landscaping and scale of development.

Therefore, it is considered that an extension to the hinterland in this location is not required and that the implementation of the Housing in the Countryside and Siting and Design Supplementary Guidance will address concerns about inappropriate development in the area. It is therefore considered that the expansion of the hinterland boundary is not appropriate.

NS4 Non Preferred Suggested Contraction - Croftcroy

This new sites suggestion sought a further contraction to the area to the south of Dores (see above response to *Contraction of the boundary to the south of Dores to Farr and Torness*). Given the discussion above and that Croftcroy could also be considered for development under the HwLDP Policy 35 Housing in the Countryside (Hinterland areas) as an existing housing groups there is not any benefit from the further contraction of the boundary at Croftcroy. It is therefore considered that the contraction of the hinterland boundary is not appropriate.

General

The Alternative Sites consultation was as a direct response to the consultation on the Main Issues Report and the website referenced the earlier consultation which provided more detail on the relevance of the hinterland boundary. It is noted that a concise explanation of the wider issue would have clarified the intent of the consultation.

Recommended Proposed Plan Content:

- The Proposed Plan text and mapping is available within the Committee papers
- In summary, the following Hinterland boundary amendments are recommended:
Extension of the boundary to the north of Ardross, Easter Ross to incorporate land north of Stittenham;
Extension of the boundary south-west of Kiltarlity;
Extension of the boundary further west within Glen Urquhart;

Extension to the south of Drumnadrochit to include Bunloit
Contraction of the boundary to the immediate south of Dores.

All other consulted Hinterland boundary amendments are not included

Issue	Special Landscape Areas
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List of persons and organisations who submitted comments (including reference number):

Albyn Housing Society Ltd (00419), Avoch & Killen Community Council (00330), Basil Dunlop (00289), Beaully Community Council (00271), Carrbridge & Vicinity Community Council (00272), Cawdor Marriage Settlement Trust (01188), Cllr Kate Stephen (01348), Conon Brae Farms (01236), Dietrich Pannwitz (00867), Dr Maria De La Torre (01205), Dr Ros Rowell (00885), Dulnain Bridge Community Council (00282), EJ And M Brodie Partnership (01075), Ferintosh Community Council (00910), Fortrose And Rosemarkie Community Council (00286), Glenurquhart Community Council (00288), Hazel Bailey (00638), Heather Macleod And John Parrott (01193), Hilda Hesling (00005), Invergordon Community Council (00293), Inverness West Community Council (00296), J.A. Wiscombe (00777), J.E. And S.B Wood (01157), Killearnan Community Council (00297), Kilmorack Community Council (00031), Kiltarlity Community Council (00299), Kirkhill & Bunchrew Community Council (00302), Knockbain Community Council (00303), Kylauren Homes (01128), Lady Balgonie Of Glenferness Estate (01073), Mackintosh Highland (00887), Mackintosh Highland (00890), Michael And Helen Dickson (01009), Miss Annie Stewart (00757), Miss Mary Maciver (00883), Miss Rachael Crist (00772), Mr Alexander MacDonald (01227), Mr Alistair Duff (00877), Mr And Mrs P. Hemmings (01238), Mr Anthony Chamier (00632), Mr Anthony Neil Morey (00774), Mr Aulay Macleod (00637), Mr Ben Reardon (01172), Mr Bob How (01047), Mr Brian Stewart (00993), Mr Craig MacRae (01260), Mr Donald Leith (01121), Mr Eddie MacDonald (01249), Mr Fraser Stewart (00407), Mr Gordon Grant (00981), Mr Graeme Grant (01048), Mr Grant Stewart (01097), Mr Hunter Gordon (00789), Mr Iain Cameron (01043), Mr James Grant (00920), Mr James Kidd (00979), Mr John Duncan (00915), Mr John Finlayson (00244), Mr John Hampson (01119), Mr John Keast (00705), Mr John Ross (00016), Mr Jonathan Kerfoot (01052), Mr Keith Urquhart (00968), Mr Kit Bower (00754), Mr Paul A. Ross (00786), Mr Peter Gilbert (00642), Mr Phil Anderson (01259), Mr Raymond Bainbridge (01277), Mr Roddy Macdonald (00635), Mr Ross Glover (01170), Mr Scott Macdonald (01248), Mr Wallace Grant (01115), Mrs C Wood (00948), Mrs E MacDougall (00922), Mrs Francis Tilbrook (01092), Mrs Janis Keast (00707), Mrs Karin Kremer (00729), Mrs Liz Downing (00892), Mrs P Thompson (00633), Ms Anne Thomas (01208), Ms Caroline Stanton (00943), Ms Christine Matheson (01203), Ms Cornelia Wittke (01244), Ms Eleanor Ross (01136), Ms Hannah Stradling (01242), Ms Irene Ross (01159), Ms Jenny MacLennan (01237), Ms Lucinda Spicer (01200), Ms Marion Kennedy (01262), Ms Pat Wells (01301), Ms Suzann Barr (01192), Ms Valerie Weir (01198), Nicam Developments Ltd (00882), Nigg & Shandwick Community Council (00313), R.V. Hewett (01142), Raigmore Community Council (00314), RES UK And Ireland Limited (01252), Richard Crawford - Collective Response (01352), Robert Boardman (00033), Sarah Brodie Woodlands (01074), Save Our Dava (00022), Scottish Natural Heritage (00204), Seafield And Strathspey Estates (01032), Strathdearn Against Windfarm Developments (01012), Strathdearn Community Council (00908), Tarbat Community Council (00323)

Summary of comments received:**General**

SLA coverage - A respondent is concerned that Special Landscape Area (SLA) coverage in Highland is not comprehensive and considers it critical that dramatic landscapes in the West of Scotland have been missed.

Mapping of features/designations - There were a couple of respondents concerned about the mapping: one considering that detail should be shown on other designations within the

SLA, another considering that National Scenic Areas (NSAs) should also be shown on the proposals map.

Balanced consideration of proposals - Raigmore Community Council considers that there needs to be a balance between protecting natural and cultural heritage assets and providing jobs.

Buffering of SLAs - Some respondents have sought a buffer area to the SLAs (this buffer area to be protected from development) with the intent of enhancing protection of the SLA's themselves.

Designating all landscapes - Some respondents consider that all landscapes should be protected.

Providing reasoning for preferring or non preferring boundary amendments - One respondent is concerned at the lack of reasoning for boundary amendment alternatives and seeks that for any changes that are retained there should be proper justification in the text of the Plan. SNH also seek reasoning for any boundary decisions.

Identifying new SLAs - The following new SLAs were suggested after consultation on the Inner Moray Firth Local Development Plan (IMFLDP) Main Issues Report (MIR).

- 1 Redcastle, Kilcoy and Coulmore areas
- 2 To cover Tarbat Ness (because of the views from this area)
- 3 at Stratharisdale/ Alness River complex (as a recreational space, convenient adjacent to tourist route)
- 4 Munloch Bay,
- 5 Beaulieu estuary (due to its natural beauty)
- 6 area between Inverness and Fort George (or to Nairn)
- 7 the entire Highland area to be designated
- 8 seeks area from the Raigmore roundabout to Milton of Culloden (or to Ardersier)

Whilst there were respondents who sought the removal of the Drynachan, Lochindorb and Dava Moors SLA.

Extensions/contractions to SLAs and how they have been considered

Many respondents agreed with the SLA boundaries as shown in the MIR. However the following details the reasons mentioned in relation to possible amendment of SLA boundaries from that shown in the MIR.

Loch Ness and Duntelchaig SLA

General Issues - Glenurquhart Community Council ask us to confirm whether Meall Fuar-mhonaidh is within the Loch Ness and Duntelchaig SLA. Another respondent questions whether the permitted campsite in Foyers can be stopped, the respondent considers that SLA was ignored in this decision.

Extension to north western extent to include Culnakirk, Glen Convinth, and Clunes – Non preferred in Alternative Sites and Uses Consultation

Many respondents support the option to include this area within the SLA boundary. This

area is supported for inclusion as it is argued to have similar qualities and characteristics as the Duntelchaig and Ashie area (with one respondent submitting detailed landscape and visual assessment work to support the submission).

A specific comment is made about the Loch Laide area which was identified in the Drumnadrochit and Fort Augustus Local Plan of 1991 as a recommendation to designate as an Area of Great Landscape Value (AGLV), and it is considered that this provides a basis for supporting the smaller Abriachan extension indicated in MIR.

Inverness West Community Council (and Kiltarlity Community Council support this suggestion) seek this area's inclusion and compare the suggested area to the citation for the SLA, pointing out the similarities, and the important viewpoints that are within this area.

It is considered by one of the respondents that the current boundary does not include the landscape necessary to put this upper section of the Great Glen into context.

However there is also concern expressed by some about extending the SLA boundary here, and the consequences this may have for the community and development prospects.

Alternative Sites and Uses Consultation

Inverness West Community Council raise similar points again in support of this areas inclusion together with a tabular form prepared by Caroline Stanton Chartered Member of the Landscape Institute which disagrees with the stated differences between the SLA Duntelchaig and Ashie area and the Abriachan/Glen Convinth/Culnakirk area. This is submitted together with some photographs to illustrate specific points: the 'intimate mix of landscape elements and changing visual interest' and 'smaller patches of higher amenity value woodland.' Most importantly though it is considered that the area includes and reinforces the Special Qualities of the SLA as described within the citation as set out in their MIR submission. Also importance is placed on the areas recreational use and how SPP asks us to "safeguard and promote important settings for outdoor recreation and tourism locally".

However SNH agree with the rationale for not including the new area suggested as an extension to this SLA.

Extension to include Stratherrick, including Loch Mhor, the Pass of Inverfarigaig, and Killin - Non preferred in Alternative Sites and Landuse consultation

Many respondents consider that this option area has qualities and characteristics that merit its inclusion within the SLA boundary. It is considered by respondents that this area is important to residents and visitors. It is considered to have a unique combination of wildness and historic settlements with traditional settlement pattern, important habitat, woodland, waterfalls, remnants of Caledonian Pine, Farigaig pass is a SSSI, impressive views from the summit of the Suidhe, and important archaeology.

Alternative Sites and Uses Consultation response

However SNH agree with the rationale for not including the new area suggested as and extension to this SLA.

Extension to support inclusion of area between Loch Ness and Inverness to include Dores and as far as Clachnaharry - Non preferred in Alternative Sites and Landuse consultation
One respondent suggests this option.

Alternative Sites and Uses Consultation response

However SNH agree with the rationale for not including the new area suggested as extensions to this SLA.

Drynachan, Lochindorb and Dava Moors

Extension at Streens - preferred in Main Issues Report (MIR)

A few individual respondents, Strathdearn against Windfarm Developments, and Strathdearn Community Council all support the continued inclusion of this area. Strathdearn Community Council support this preferred extension to safeguard the landscape qualities of Strathdearn.

Save our Dava support the continued inclusion of this area considering that it would consolidate boundary to the geographical feature of the River Findhorn in its eastern Streens sections and its melt water gorge feature at Dulsie Bridge which is Listed and where there are interpretation boards, and that western Streens sections that already lie within SLA would be enhanced by inclusion of this preferred extension.

Exclusion of Carn nan Tri – tighearnan - non preferred in MIR

Strathdearn Community Council support the continued inclusion of this area to safeguard the landscape qualities of Strathdearn. Dulnain Bridge Community Council also support the continued inclusion of this area for its historic, environmental and recreational benefits. SNH supports the Council's preference for the continued inclusion of this area as the respective citation is partly based upon the vast sense of scale of the area and this special quality would be diminished by contraction.

Cawdor Marriage Settlement Trust consider that this area encloses moorland which has no special quality and they consider that its remoteness should not be a reason for its protection.

Extension at Balvraid – non preferred in Main MIR

Save our Dava and another respondent consider that this area was excluded during preparation of the Inverness Local Plan because of pressure from wind energy developers and should be reinstated if the pending wind farm application is refused by Scottish Ministers. Strathdearn Community Council support the option to extend the SLA to safeguard the landscape qualities of Strathdearn. Strathdearn against Windfarm Developments also support this extension option. There is also support for an additional area close to Balvraid to be included within the SLA to give a straight line from the Streens southward. Whilst Cawdor Marriage Settlement Trust consider that the SLA boundary should be contained to land east of the B9007 as the current boundary is considered to include moorland of no special quality.

Exclusion of Dunearn plantation – Non Preferred in MIR

Strathdearn against Windfarm Developments and Save our Dava both support the continued inclusion of this area. SNH supports the Council's preference for the continued inclusion of this area as the respective citation is partly based upon the vast sense of scale of the area and this special quality would be diminished by contraction. Lady

Balgonie of Glenferness Estate, Sarah Brodie Woodlands, and Cawdor Marriage Settlement Trust consider that the plantation areas are not compatible with the description or characteristics of the SLA, go into a different Landscape Character Type and should be excluded. EJ and M Brodie Partnership also object to how boundaries were formed.

Extension north of Dava – Non preferred in MIR

Save our Dava consider that this area should be included because it forms a wildlife corridor link between SPAs and SACs and provides the best panorama of the SLA. It is noted that this area lies within the administrative boundary of Moray Council but it is considered that this should not limit the SLA boundary.

Alternative Sites and Uses Consultation response

General - There is support from one respondent for continuing to retain the Drynachan, Lochindorb and Dava Moors SLA and supporting the preferred and non preferred extension options which were shown in the MIR. This respondent is concerned to see that there are respondents seeking the removal of this SLA (with this perceived to be due to interest in windfarm development).

Extension to include land east of Moy – Non preferred in Alternative Sites and Landuses consultation

A respondent proposes that this area should be included within the SLA boundary. Also Strathdearn against Windfarm Developments supports the inclusion of this extension as it is considered to be an attractive area with excellent views in all directions.

Alternative Sites and Uses Consultation response

However SNH agree with the rationale for not extending the SLA east of Moy.

Reduction of the SLA on its southern boundary- Preferred in Alternative Sites and Landuses consultation

Seafield and Strathspey Estates seek an amended boundary to the south and east to better reflect landforms and landscape features. Lady Balgonie of Glenferness Estate points out that the boundary overlaps with the CNPA boundary.

Alternative Sites and Uses Consultation responses

A respondent supports the minor reduction to accord with the Cairngorms National Park Authority boundary and supports resisting any more substantial reduction for the reasons given (that the landscape characteristics and special qualities of the SLA are very much in evident within this southern area of open uplands). SNH consider that in some respects altering (reducing) the southern boundary to fit better with the extent of the National Park's boundary makes good sense. However SNH are concerned that without a clear methodology by which SLA boundaries were originally drawn up, then altering them also makes little sense. On the other hand SNH consider that this amendment won't make a huge difference to the protection of the area and tidies things up from a planning perspective.

Sutors of Cromarty, Rosemarkie and Fort George SLA

Extension to include Avoch, and Extension to include Munlochy Bay – Both non Preferred in Alternative Sites and Landuses consultation

The extension at Avoch is considered by several respondents to be an important landscape (including native woodland) and habitat worthy of inclusion within the SLA

boundary, also the option of an extension to include Munloch Bay is supported by some and it is noted to have significant geological, historical, and cultural importance for the wider area.

Alternative Sites and Uses Consultation response

SNH consider that this SLA is about the variety that the Sutors themselves provide and a land based extension along the Black Isle would be at odds with the existing character of the Sutors and therefore SNH agree with the rationale for not including the new area suggested as extensions to this SLA.

Alternative Sites and Uses Consultation response

SNH agree with the rationale for not including the new area suggested as extensions to this SLA.

Extension to include the Davidston area – Non Preferred in Alternative Sites and Landuses consultation

Respondent considers this to be an important viewpoint over the Cromarty Firth, looking north and west.

Alternative Sites and Uses Consultation response

SNH agree with the rationale for not including the new area suggested as extensions to this SLA.

Council's summary of responses to comments:

General Issues

SLA coverage - One of the general comments was that Special Landscape Area (SLA) coverage in Highland is not comprehensive and it is critical that dramatic landscapes in the West of Scotland have been missed, citing several examples. However there is a higher tier of landscape designation and they are National Scenic Areas (NSAs), these NSA's have not been consulted on through the Inner Moray Firth Local Development Plan (IMFLDP) as their boundaries are confirmed having been designated by Scottish Ministers. The areas mentioned lie within NSAs' areas which are protected by the Council through the Highland-wide Local Development Plan (HwLDP) policy 57 Natural, Built and Cultural Heritage Features.

Mapping of features/designations - There were a couple of concerns about the mapping: one considering that detail should be shown on other designations within the SLA, another considering that NSAs should also be shown on proposals map. However the purpose of the IMFLDP map is to show what is being consulted on and set through the IMFLDP. We cannot have two development plans with the same purpose. To see all the designations people will also need to refer to the HwLDP.

Balanced consideration of proposals - Raigmore Community Council considers that there needs to be a balance between protecting natural and cultural heritage assets and providing jobs, this is noted and is the approach the Council takes through site selection and through general policy preparation in Development Plan. Our Plan preparation balances heritage interests with economic consideration in a way that reflects the level of importance of the heritage interest and its particular sensitivities with the economic benefit that could be derived from any development proposal. Also our development management officers find this planning balance when assessing the considerations of any planning

application.

Buffering of SLAs - Some respondents seek a buffer area to the SLAs. A buffer approach is something that Scottish Planning Policy discourages Councils from doing. However the policy protection for the SLAs within the HwLDP policy 57 ensures that the amenity and heritage resource of the SLA is protected and this means that developments that are within the setting of the SLA and/or interrupt key views into/out of a SLA could be considered to have an unacceptable impact on the amenity and heritage resource of the SLA. This ensures an appropriate tailored protection is given to the SLA which requires considering the specifics of the development proposal and the specifics of the particular SLA qualities rather than using a basic blanket buffer.

Designating all landscapes - Some respondents consider that all landscapes should be protected. The Council recognises that there needs to be consideration of impact on landscape in relation to any development proposal put forward and for this reason there is already some policy protection, and consideration of possible impacts for all landscapes through HwLDP policy 61 Landscape which is sufficient. Scottish Planning Policy sets the context that SLAs are a local designation and that these SLAs should relate to specific areas that are particularly valued locally or regionally.

Providing reasoning for preferring or non preferring boundary amendments - One respondent disputes lack of reasoning for boundary amendment alternatives and seeks that any changes that are made should to be properly justified in the text of the Plan. SNH also seek reasoning for any boundary decisions. In response whilst we will provide reasons for preferred extensions in our committee report for consideration of the MIR consultation responses, it is inappropriate for the Plan to include this.

Identifying new SLAs - New SLAs were suggested in response to consultation on IMFLDP MIR. These suggestions are all Non Preferred. The consultation on the SLAs through the IMFLDP MIR was on relatively minor adjustments to boundaries of existing SLAs to ensure they enclosed areas of similar landscape and/or to ensure that the boundary did not inadvertently sever a landscape feature. The consultation was not on identifying new SLAs or whether any existing SLAs should be removed.

The original methodology used for SLAs selection/identification was challenged through Highland-wide Local Development Plan (HwLDP) Examination and the Reporter supported the current SLAs, subject to the Council considering any boundary amendments through the Area Local Development Plans. It would be a significant piece of work to re-evaluate SLAs across Highland and possibly identify new criteria and scoring for their identification. This is unnecessary given our confidence in SLAs and the conclusions of the HwLDP Examination on this issue.

Extensions/contractions to Special Landscape Areas and how they have been considered

Specific consideration is given to each suggestion made; however there are some general considerations that are applicable for all the responses suggesting either extensions or contractions to the Special Landscape Areas and these are covered below before specific consideration is given to each individually.

If the Council rejects a suggested extension to a SLA it is not saying that there are not

landscape sensitivities within these areas. Sometimes the area suggested as an extension is important to the setting of the SLA, and offers some key views into the SLA, so this will affect the development potential within this area. The policy protection for the SLA within the HwLDP policy 57 ensures that the amenity and heritage resource of the SLA is protected and this means that proposed developments that are within close vicinity of the SLA and/or interrupt key views into/out of a SLA could be considered to have an unacceptable impact on the amenity and heritage resource of the SLA. This will be taken account of as part of the consideration of the planning application. Also potential impacts of development on any individually important features for instance archaeological features that are recorded in the Historic Environment Record, or on important species/habitats are given appropriate protection through the general policies of the HwLDP.

Furthermore all development proposals need to consider their impact on the landscape whether within or near a designated landscape or not and this is secured through HwLDP policy 61 Landscape.

When considering proposed extensions to the SLAs (Special Landscape Areas) it is important to consider whether the SLA boundary needs minor adjustment to better reflect the landform so that it does not inadvertently sever a landscape feature. It is also important to consider how the proposed extensions compare with landscapes within the existing SLA to establish whether the proposed extension would enclose an area of similar landscape. This means considering how these landscapes are described and the qualities that are attributed to them within the SLA citations, and then comparing this to the landscape within the proposed extension. It also means referring to the Landscape Character Assessment to see how these proposed areas compare in terms of their Landscape Character Types to those within the SLA boundary (the Landscape Character Assessment being a standard system for identifying, describing, classifying and mapping the variety of landscapes which helps explain what makes landscapes different from each other).

Looking at reasons beyond these as a basis for changing the SLA boundaries could undermine the criteria used to identify them, and would likely lead to the need for a complete review revisiting the identification of SLAs across Highland. This would also involve revision of the citations. The original methodology used for SLA selection/identification was challenged through HwLDP Examination and the Reporter supported the current SLAs subject to the Council considering any boundary amendments through the Area Local Development Plans. It would be a significant piece of work to re-evaluate SLAs across Highland and possibly identify new criteria and scoring for their identification. This is unnecessary given our confidence in SLAs and the conclusions of the HwLDP Examination of this issue.

Loch Ness and Duntelchaig SLA

General Issues - Glenurquhart Community Council ask to confirm whether Meall Fuar-mhonaidh is within the Loch Ness and Duntelchaig SLA and it can be confirmed that it lies within the SLA boundary.

A respondent questions whether the permitted campsite in Foyers can be stopped as it is considered that SLA was ignored in this decision. The planning permission has been granted for this application and cannot be revoked. The presence of a SLA means that landscape and design are particularly important considerations for the Council within the

SLA. The impact on landscape characteristics, special qualities and sensitivities of the SLA forms part of the planning assessment.

Extension to north western extent to include Culnakirk, Glen Convinth, and Clunes – Non preferred in Alternative Sites and Landuse consultation

Details of those submitting comment to this consultation are not listed in this document. Due to the level of response on this it is likely this will be an issue that will remain unresolved by the Council and could therefore ultimately be decided at Examination by an independent reporter.

Please also refer to the section above on Extensions/Contractions to Special Landscape Areas as this explains the methodology for how these options have been assessed by the Council. However in terms of specific consideration of this suggestion the following is the assessment made.

The citation for this SLA mentions the special qualities of the contrasting intimate plateau (the Duntelchaig and Ashie area) as being, “An undulating moorland plateau of rocky knolls flanked by small-scale woods and forests, patches of pastures and sporadic farmsteads, and interspersed with a sequence of tranquil lochs, that creates an intimate mix of landscape elements of changing visual interest.”

The Abriachan/Glen Convinth/ Culnakirk area does share some of the Key Landscape and Visual Characteristics of the Ashie and Duntelchaig area which is already within the SLA. However it does not have quite the same diversity, contrast and juxtaposition of landscape elements and does not have the larger loch component to its landscape (only some smaller lochs), and the areas of woodland are in larger blocks and they do not contain much semi natural or ancient and long established woodland which is in contrast to the prevalence of the smaller patches of higher amenity value woodland in the Duntelchaig/Ashie area.

It is important to consider how the Inverness District Landscape Character Assessment characterises these different areas. The Abriachan/Glen Convinth/ Culnakirk area is mainly within a Landscape Character Type of rocky moorland plateau/or with woodland subset which is an open landscape characterised by exposure and vast remote upland moor.

Whilst the Duntelchaig/Ashie area that the proposed extension is being compared to has two contrasting Landscape Character Types in close proximity. The Duntelchaig and Loch Ruthven area is within a farmed wooded foothills Landscape Character Type which is characterised by low rocky hills, lower slopes with woodland, and is interspersed with areas of rough and improved pasture with a contrast between upper and lower slopes and between shelter and exposure. This Landscape Character Type has constantly changing views of enclosed spaces framed by trees/crags. The Loch Ashie area lies in a Flat Moorland Plateau Landscape Character Type which is characterised by flat undulating openness and plantation forestry although in this case much of this is long established of plantation origin. This is a small area within the SLA and is juxtaposed with the Farmed Wooded Foothills Landscape Character Type of Duntelchaig.

Therefore the Inverness District Landscape Character Assessment helps clarify the characteristics and qualities of these two areas and it is clear that they differ in key ways

from each other, and importantly in ways that pick up on the SLA citation's special qualities.

In summary it is considered that the proposed area is not similar enough in its character or quality to landscapes within the existing SLA to merit its inclusion within the SLA. Therefore it is recommended that this extension option should not be included within the Stratherrick, including Loch Mhor, the Pass of Inverfarigaig, and Killin SLA boundary in the Plan.

A comment is made about the Loch Laide area which was identified in the Drumnadrochit and Fort Augustus Local Plan of 1991 as a recommendation to designate as an AGLV as a basis for supporting the smaller Abriachan extension indicated in MIR. However when reviewing and rationalising these areas through the Structure Plan adopted 2001, this area was not considered to meet the criteria used for their identification, being such a small area and having been identified more for improving visitor facilities here than for protecting the landscape.

However there is no disputing that the Abriachan/Glen Convinth/Culnakirk area is important to the setting of the SLA, and offers some key views into the SLA, so this will affect the development potential within this area.

Extension to include Stratherrick, including Loch Mhor, the Pass of Inverfarigaig, and Killin - Non preferred in Alternative Sites and Landuse consultation

Details of those submitting comment to this consultation are not listed in this document. Please also refer to the section above on Extensions/Contractions to Special Landscape Areas as this explains the methodology for how these options have been assessed by the Council. However in terms of specific consideration of this suggestion the following is the assessment made.

The citation for this SLA mentions the special qualities of the contrasting intimate plateau (the Duntelchaig and Ashie area) as being, "An undulating moorland plateau of rocky knolls flanked by small-scale woods and forests, patches of pastures and sporadic farmsteads, and interspersed with a sequence of tranquil lochs, that creates an intimate mix of landscape elements of changing visual interest."

The Stratherrick area does share some of the Key Landscape and Visual Characteristics of the Ashie and Duntelchaig area that is already within the SLA. The Stratherrick area has some elements of this description. However in the Stratherrick area the areas of woodland are mostly in larger blocks and the area does not contain as much semi natural or ancient and long established woodland in contrast to the prevalence of smaller patches of higher amenity value woodland in the Duntelchaig/Ashie area. Also unlike the Duntelchaig/Ashie area the Stratherrick area does not display quite the same intimate mix of landscape elements and changing visual interest as the area of Duntelchaig and Ashie. This means the juxtapositions, diversity and intimacy of the Duntelchaig/Ashie landscape are not as evident in Stratherrick.

It is important to consider how the Inverness District Landscape Character Assessment characterises these different areas. The Stratherrick area is mainly within a Landscape Character Type of Farmed Straths which is characterised as having a predominantly open character of Strath with blocks of coniferous forestry, and a pattern of farmsteads and

straths. Whilst the Duntelchaig/ Ashie area has two contrasting LCTs in close proximity. The Duntelchaig and Loch Ruthven area is within the Farmed Wooded Foothills Landscape Character Type which is characterised by low rocky hills, lower slopes with woodland, and is interspersed with areas of rough and improved pasture with a contrast between upper and lower slopes and between shelter and exposure. This Landscape Character Type has constantly changing views of enclosed spaces framed by trees/crags. The Loch Ashie area lies in a Flat Moorland Plateau Landscape Character Type which is characterised by flat undulating openness and plantation forestry although in this case much of this is long established of plantation origin. This is a small area within the SLA and is juxtaposed with the Farmed Wooded Foothills Landscape Character Type of Duntelchaig. The Inverness District Landscape Character Assessment helps further highlight the difference between these two landscapes.

Therefore the Inverness District Landscape Character Assessment helps clarify the characteristics and qualities of these two areas and it is clear that they differ in key ways from each other, and importantly in ways that pick up on the SLA citation's special qualities. Therefore it is recommended that this extension option should not be included within the Stratherrick, including Loch Mhor, the Pass of Inverfarigaig, and Killin SLA boundary in the Plan.

However it is recognised that the Stratherrick area is important to the setting of the SLA, and offers some key views into the SLA, so this will affect the development potential within this area.

Extension to support inclusion of area between Loch Ness and Inverness to include Dores and as far as Clachnaharry - Non preferred in Alternative Sites and Landuse consultation

Details of those submitting comment to this consultation are not listed in this document. Please also refer to the section above on Extensions/Contractions to Special Landscape Areas as this explains the methodology for how these options have been assessed by the Council. However in terms of specific consideration of this suggestion the following is the assessment made.

This proposal would take in very different landscapes (and Landscape Character Types) from that designated within the SLA and therefore is not supported. It is considered that the proposed extension is not similar enough in its character or quality to merit its inclusion within the SLA. Therefore it is recommended that this extension option should not be included within the Stratherrick, including Loch Mhor, the Pass of Inverfarigaig, and Killin SLA boundary in the Plan.

Drynachan, Lochindorb and Dava Moors SLA

Extension at Streens - Preferred in Main Issues Report (MIR)

Please also refer to the section above on Extensions/Contractions to Special Landscape Areas as this explains the methodology for how these options have been assessed by the Council. However in terms of specific consideration of this suggestion the following is the assessment made.

The western part of this proposed extension offers enclosed and intimate relief when the striking open moors change to the wooded descent to Drynachan Lodge and this type of contrast is a special quality identified in the citation for this SLA: "the more steep sided valleys such as that of the River Findhorn at Drynachan, offer enclosed and intimate relief

from the surrounding expansive moorland". Also historic features in the landscape such as vitrified fort remains and a prehistoric chapel site add to the simplicity and sense of isolation within this landscape which is another special quality identified in the citation for this SLA.

The area proposed is largely within the Uplands Landscape Character Type that covers much of the existing SLA and therefore has many of the same characteristics as the SLA. However it is considered that River Valley Landscape Character Type that covers the remaining area of this proposed extension augments an area of riparian landscape within the existing SLA and also includes a special feature in the 'Three Waterfalls Gorge' which is worthy of inclusion within the SLA.

It is considered that the proposed extension is similar enough in its character and quality and sufficiently reflects some of the Key Landscape and Visual Characteristics and Special Qualities of the citation of the SLA to merit inclusion. Therefore it is recommended that this extension option should continue to be included within the Drynachan, Lochindorb and Dava Moors SLA boundary in the Plan.

Exclusion of Carn nan Tri – tighearnan - Non preferred in MIR

Please also refer to the section above on Extensions/Contractions to Special Landscape Areas as this explains the methodology for how these options have been assessed by the Council. However in terms of specific consideration of this suggestion the following is the assessment made.

It should be noted that the SLAs are not intended to be restricted to one landscape character type the Highland Structure Plan which established our methodology recognises as one of its criteria for their selection, 'combinations of land character types which provide attractive or unusual scenery.'

This area is sought for exclusion from the SLA by some and sought for retention from others. It lies within the Uplands Landscape Character Type and its characteristics are mentioned within the citation for this SLA. The SLA citation mentions the following characteristics which are considered to apply to this landscape character type: 'homogeneity' 'sense of spaciousness, wide views and sparse human presence'.

The Moray Landscape Character Assessment states for this area that 'this landscape is potentially sensitive to change largely due to its present open character which provides distinctive visual contrast, when viewed from some prominent areas, with the largely wooded character of the Moray and Nairn landscape". This same characteristic is also reflected in the citation for the SLA which mentions as a special quality, "the elevated and exposed moorland." Therefore it is recommended that this contraction option area should remain within the Drynachan, Lochindorb and Dava Moors SLA boundary in the Plan.

Extension at Balvraid – Non preferred in Main MIR

Please also refer to the section above on Extensions/Contractions to Special Landscape Areas as this explains the methodology for how these options have been assessed by the Council.

In terms of specific consideration of this suggestion the following is the assessment made. It is noted that a 20 turbine windfarm development at Moy Estate (on the northern part of

this proposed extension) was approved on appeal by Scottish Government in March 2012. The area includes an area of plantation forestry, Carn nan Eag, Tom na Slaite as well as Ruthven itself. At Drynachan the glen is steep sided, but within the Balvraid area sought for extension to the SLA there is a change in character as the glen becomes more open. There is a relevant special quality that indicates why this area should not be included within the SLA, and it is, "A narrow, deep section of the Findhorn river valley at Streen offers enclosed and intimate relief in contrast to the elevated and exposed moorland." The Balvraid area differs from this quality as it is a more open glen and there is also a change in land cover with substantial areas of the plantation forestry.

In terms of Landscape Character Type the proposed extension lies within Rolling Uplands and although there are small areas of this Landscape Character Type at the western edges of the existing SLA it is not one of the dominant Landscape Character Types within the SLA and to include such a large additional area of this Landscape Character Type would change the overall character of the SLA.

This proposed extension to this SLA would take in a different landscape from the existing SLA and therefore is not supported. Therefore it is recommended that this proposed Balvraid extension area should not be included within the Drynachan, Lochindorb and Dava Moors SLA boundary in the Plan.

Exclusion of Dunearn plantation – Non Preferred in MIR

Please also refer to the section above on Extensions/Contractions to Special Landscape Areas as this explains the methodology for how these options have been assessed by the Council. However in terms of specific consideration of this suggestion the following is the assessment made.

The forestry is neither a characteristic nor a quality of this SLA. However whilst it is considered that this forestry does not accord with the strongly horizontal composition of land and sky, and sense of spaciousness present elsewhere within this SLA, the land cover used for forestry is present on a relatively small scale and is fragmented and this land cover could change over time. Within the area where there are small areas of forestry the underlying landscape character is suitable for inclusion within the SLA and excluding small pockets of forestry would lead to a fragmented approach which would undermine the protection of this SLA. The suggested exclusion of the forestry areas from the SLA is therefore resisted.

This area sought for exclusion from the SLA by some and sought for retention from others. It lies within the Uplands Landscape Character Type and its characteristics are mentioned within the citation for this SLA. The SLA citation mentions the following characteristics which are considered to apply to the this landscape character type, 'homogeneity' 'sense of spaciousness, wide views and sparse human presence'. Therefore it is recommended that this exclusion option area should remain within the Drynachan, Lochindorb and Dava Moors SLA boundary in the Plan.

Extension north of Dava – Non preferred in MIR

Please also refer to the section above on Extensions/Contractions to Special Landscape Areas as this explains the methodology for how these options have been assessed by the Council. However in terms of specific consideration of this suggestion the following is the assessment made.

The Highland Council cannot identify the SLA outwith its administrative boundaries. There is no disputing that the Dava area is important to the setting of the SLA, and offers some key views into the SLA, so we would anticipate that this will affect the development potential within this area.

The Highland Council expect to be consulted on development proposals that could have a significant effect on the SLA and will make an assessment of the impact on the SLA amenity and heritage resource in our consultation responses to them. However it will be Moray Council (or Scottish Ministers in the case of windfarms over 50 MW) who make any decisions on applications within this area.

Extension to include land east of Moy – Non preferred in Alternative Sites and Landuses consultation

Details of those submitting comment to this consultation are not listed in this document. Please also refer to the section above on Extensions/Contractions to Special Landscape Areas as this explains the methodology for how these options have been assessed by the Council. However in terms of specific consideration of this suggestion the following is the assessment made.

The SLA follows the landform here, following the hill tops of Meall a' Bhreacraibh, Carn Dubh, Cairn Kinraig and Beinn Bhreac. The citation for this SLA identifies in its overview that the "Key characteristics are the homogeneity of this area, its sense of spaciousness, wide views and sparse human settlement" and "comprises high rolling moorland". Therefore it is considered that following the hill tops here is a logical positioning of the boundary rather than extending it to include the more diverse and settled landscape of Moy. This proposal would take in a different landscape from that designated within the SLA and therefore is not supported. Therefore it is recommended that this proposed extension area should not be included within the Drynachan, Lochindorb and Dava Moors SLA boundary in the Plan.

Exclusion of land to reduce the SLA on its southern boundary- Preferred in Alternative Sites and Landuses consultation

Details of those submitting comment to this consultation are not listed in this document. Please also refer to the section above on Extensions/Contractions to Special Landscape Areas as this explains the methodology for how these options have been assessed by the Council. However in terms of specific consideration of this suggestion the following assessment is made. The boundary on the southern extent of this SLA needs to be amended to accord with the Cairngorm National Park Authority boundary as far as Creag Liath to the east acknowledging that this means it will better accord with the line of the hill tops here.

If a more substantial reduction in the southern extent to the SLA is sought, this is resisted. Many of the landscape characteristics and special qualities of the SLA as mentioned within its citation are very much in evidence within this southern area of open uplands. The Cairngorms Landscape Assessment 1996 identifies this area within a Uplands and Glens Landscape Character type which corresponds well with the Key Landscape and Visual Characteristics and Special Qualities of the citation. Therefore it is recommended that this exclusion area should not be included within the Drynachan, Lochindorb and Dava Moors SLA boundary.

Sutors of Cromarty, Rosemarkie and Fort George SLA

Extension to include Avoch – Non Preferred in Alternative Sites and Landuses consultation

Details of those submitting comment to this consultation are not listed in this document. Please also refer to the section above on Extensions/Contractions to Special Landscape Areas as this explains the methodology for how these options have been assessed by the Council. However in terms of specific consideration of this suggestion the following is the assessment made.

This SLA is defined by the edge of the coastal strip (the Hard Coastal Shore Landscape Character type) and the only landward areas that are identified within the SLA boundary are at the end of headlands and promontories (Fort George, Fortrose and at the Sutors). The proposed extension would extend the SLA boundary to include landward areas that are not on headlands or promontories and this would fundamentally change the characteristics of this SLA. To extend the boundary to take in the hillside between Fortrose and Avoch would also take the SLA into different Landscape Character Types, ones which are not present within the current SLA boundary.

This proposal would take in a very different landscape from that within the SLA and therefore is not supported. Therefore it is recommended that we should continue to exclude this extension option area from the Sutors of Cromarty, Rosemarkie and Fort George SLA boundary in the Plan.

Extension to include Munloch Bay – Non Preferred in Alternative Sites and Landuses consultation

Details of those submitting comment to this consultation are not listed in this document. Please also refer to the section above on Extensions/Contractions to Special Landscape Areas as this explains the methodology for how these options have been assessed by the Council. However in terms of specific consideration of this suggestion the following is the assessment made.

This SLA is defined by the edge of the coastal strip (the Hard Coastal Shore Landscape Character type) and the only landward areas that are identified within the SLA boundary are at headlands and promontories (Fort George, Fortrose and at the Sutors). The proposed extension would extend the SLA boundary to include landward areas that are not on the end of headlands or promontories and this would fundamentally change the characteristics of the SLA. To extend the boundary to take in Munloch Bay would also take the SLA into different Landscape Character Types, ones which are not present within the current SLA boundary.

This proposal would take in a very different landscape from that within the SLA and therefore is not supported. Therefore it is recommended that we should continue to exclude this extension option area from the Sutors of Cromarty, Rosemarkie and Fort George SLA boundary in the Plan.

Extension to include the Davidston area – Non Preferred in Alternative Sites and Landuses consultation

Details of those submitting comment to this consultation are not listed in this document. Please also refer to the section above on Extensions/Contractions to Special Landscape

Areas as this explains the methodology for how these options have been assessed by the Council. However in terms of specific consideration of this suggestion the following assessment is made.

This SLA is defined by the edge of the coastal strip (the Hard Coastal Shore Landscape Character type) and the only landward areas that are identified within the SLA boundary are at the tip of headlands and promontories (Fort George, Fortrose and at the Sutors). The proposed extension would extend the SLA boundary to include landward areas that are not on the tip of headlands or promontories and would fundamentally change the characteristics of the SLA.

To extend the boundary to take in the hillside at Davidston would take the SLA into different Landscape Character Types, ones which are not present within the current SLA boundary. This proposal would take in a different landscape from that designated within the SLA and therefore is not supported. Therefore it is recommended that we should continue to exclude this extension option area from the Sutors of Cromarty, Rosemarkie and Fort George SLA boundary in the Plan.

Recommended Proposed Plan Content:

Retain the SLA boundaries and some minor adjustments to Drynachan, Lochindorb, and Dava Moors SLA, firstly to correspond with the Highland Council's development planning boundary as far as Creag Liath to the east, and also to include the preferred extension at Streens.

Issue	GYPSY/TRAVELLER TEMPORARY STOP SITES
MIR reference:	MIR 7.11 T1-3 & MIR 7.12 T1-2
List of persons and organisations who submitted comments (including reference number):	
Please see the Inverness Schedule 4 which incorporates the body or person(s) (including reference number) who submitted a representation regarding the gypsy/traveller temporary stop sites.	
Summary of comments received:	
<p><u>Need and Feasibility</u> Two respondents queried whether the need/demand for these sites had been justified. One claimed that the existing Inverness permanent site would be sufficient if long term occupants were relocated.</p> <p><u>Support & Recorded Site Preferences</u> Of those respondents who expressed a preference between the 5 sites, the vast majority favoured sites Inverness T1 & Inverness MU21. The reasons for this preference were that the sites are: on arterial routes; easier for police to monitor and council and other officials to supervise and service; large enough to separate different traveller families; sufficiently distant from incompatible uses like private housing, and; well screened from principal public view points.</p> <p><u>Conditional Support</u> One respondent supported site provision in general but only hand in hand with better enforcement of unauthorised encampments.</p> <p><u>Opposition in Principle</u> Several respondents recorded outright opposition to one or more sites without suggesting a credible alternative. Reasons for this stance included loss of residential amenity, loss of greenspace, fears about health and safety, fears about non local children disrupting local schools, alleged contravention of planning policy and fear of property depreciation.</p>	
Modifications sought by those submitting representations:	
<ul style="list-style-type: none"> • Majority of respondents seek non retention of sites Inverness Etc T2 & T3 and Inverness Airport T1 & T2. • Majority of respondents, who expressed a preference, support retention of Inverness Etc T1 and gypsy traveller provision within Inverness MU21. 	
Council's summary of responses to comments:	

GENERAL ISSUES

Need and Feasibility

The Council's Housing Need and Demand Assessment cross refers and appends a separate study of gypsy traveller requirements and provision within Highland. Following a decision by the Council's Housing and Social Work Committee it was agreed that the development plan process would be used to test the acceptability or otherwise of alternative temporary stop sites for the gypsy traveller communities. This was in recognition of the need to better manage the effects of unauthorised encampments throughout Highland. Five sites were selected by housing and planning officials on the basis of their good major road connectivity, previous use by gypsy traveller communities, and where it was understood that there may be a landowner willing to release the site for this purpose. The site or sites were to be designed to provide only temporary facilities in terms of safe road access, on-site waste management storage and collection and a water main connection. The majority of respondents agree that better management of the issue of unauthorised encampments is needed and therefore it is proposed that the Council retain at least the option of gypsy traveller temporary stop site provision at two sites (see recommendations below). At present there is no specific Council capital programme allocation for stop site provision and therefore the Plan should allow for their medium to longer term provision as an option rather than as a definite proposal.

Enforcement

The reason for temporary stop site provision is to divert short term seasonal stays from more sensitive locations. Council officers and the police would have a suitable alternative location to offer if such provision was made. Persuasion is often more effective than coercion over the longer term.

MIR SITES

Inverness Etc T1

It is noted that most respondents that expressed a site preference support this site. SNH's concerns regarding potential adverse physical impact on the integrity of the esker landforms would not be relevant for a temporary stop site for gypsy travellers which would have no significant earthworks and utilise the existing flat area of the former quarry. However, it is proposed to amend the allocation to one of mixed use and other uses may have greater physical impacts and therefore a developer requirement on this issue would be appropriate. The community council's desire to contain trial and quad bike usage within the quarry is noted and accepted. A developer requirement should be added to ensure that any future development should allow for continuation of this use and its better management via agreement on compatible and defined routes for trial and quad bikes. The site should be retained but as a mixed use allocation including the option of a temporary stop site for gypsy travellers. Other acceptable uses should be listed as community (leisure and recreation) and business (tourism). MU21 should be retained and including the option of a temporary stop site for gypsy travellers (see other uses detail in Inverness Etc schedule 4).

Inverness Etc T2

The combination of respondents' concerns regarding: likely significant adverse effect on

the adjacent Inner Moray Firth European level natural heritage designation in terms of disturbance to adjoining bird life for example from dogs near roost sites; potential coastal flood risk; a potential adverse effect on an existing and promoted future recreational route; the capacity and safety of the existing A96(T) junction in terms of caravan turning movements, and; the precedent the site may set for further development on this sensitive coast edge: suggest the site should not be retained. Better alternatives exist at Torvean Quarry and the Longman.

Inverness Etc T3

Consultation responses have confirmed the site has considerable drawbacks most notably in terms of: inadequate size; uncertain ownership; distance from support facilities and supervisory agencies, and; potential adverse visual impact on a route used by cyclists and tourists. Respondents' concerns about: road safety because of bends in the road and a poor A9 junction; crime and intimidation; local businesses and farming practices being affected, and; property depreciation: are less relevant. The site should not be retained. Better alternatives exist at Torvean Quarry and the Longman.

Inverness Airport T1 & T2

Consultation responses have confirmed the site has considerable drawbacks most notably in terms of: the airport being a key tourist gateway to Highlands and therefore the potential for adverse visual and character impact; aircraft/helicopter noise problem for occupants, and; potential adverse effect on operational safety of airport and helicopter company. Respondents' concerns about: alleged inaccuracies and lack of due MIR process; limitation on future airport and related business park expansion; inadequate waste management; security of adjacent businesses; children roaming creating health and safety issues; precedent for further expansion / permanent site; loss of farm viability for tenant; poor road access; loss of allocated industrial land, and; local businesses relocating or closing or making compensation claims for necessary increase in security costs: are less relevant. The sites should not be retained. Better alternatives exist at Torvean Quarry and the Longman.

Recommended Proposed Plan Content:

- No specific gypsy traveller temporary stop sites from the MIR should be retained.
- However, the following sites are retained with modification
Inverness Etc T1 to be allocated as mixed use site including gypsy traveller temporary stop site as an optional use. Other acceptable uses should be listed as community (leisure and recreation) and business (tourism).
- MU21 should be retained including the option of a temporary stop site for gypsy travellers (see other uses detail in Inverness Etc schedule 4).

Issue	INVERNESS AIRPORT	
MIR reference:	MIR 7.12	
List of persons and organisations who submitted comments (including reference number):		
Alistair Bennie (00627), Ardersier And Petty Community Council (00266), Cllr Kate Stephen (01348), Francis Way (00628), Helen Ross (00621), Ismail And Denise Vince Koprulu (01051), Jill And Callum Clark (00668), Mr Kevin Kinsella (00664), Mr Kevin Sinclair (00684), Mrs C Stafford (00511), Ms Anne Maree (01223), Ms Elizabeth Davis (01086), Ms Emma Linn (01000), Ms Irene Ross (01159), PDG Helicopters (01266), Rosalyn Grant (00626), Scottish Environment Protection Agency (00523), Scottish Natural Heritage (00204), Scottish Prison Service (00662)		
Summary of comments received:		
General		
<ul style="list-style-type: none"> SEPA note that MU1 is included within the settlement boundary but that B1 is excluded. Given the large infrastructure requirements that these developments will have we would welcome clarification as to whether this difference in settlement boundary will have any policy impacts 		
B1		
<ul style="list-style-type: none"> Developer requirements / safeguards should be included in terms of woodland safeguard for 40 ha area of long established plantation origin woodland within boundary. Also survey / mitigation requirements for badgers, red squirrels and reptiles; Text should state that each phase should be supported by a FRA and developed in accordance with any FRA recommendations. Flood Risk Assessment will be required in support of each phase's planning application. A tributary of Ardersier Burn runs through the site. Development of this site will severely limit future opportunities for restoration which may include diverting the watercourse near the A96 so that it can follow its original course westwards. The options should be thoroughly considered during the planning of any development on the site. Note that the site is currently being considered by the Scottish Prison Service as a prison site however this is not considered to be a preferred location. Supports B1 for business and industry but concerns about uses as the respondent believes that hotels and offices would not be suitable. Considers a better site could be found at Tornagrain side of wood (B1), as this site would be much more pleasant for travellers. The allocation is shown as being allocated in the HwLDP/adopted Local Plan however consider this to be incorrect as the boundaries reflect the planning permission rather than the boundaries shown in the Inverness Local Plan; this is misleading. 		
T1/T2		
Objections to the sites which relate to:		
<ul style="list-style-type: none"> it being an inappropriate use next to a key gateway into the area; the impact of noise on the travelling people from the airport; 		

- consultation being required with the travelling community to determine mutually acceptable sites;
- residents of nearby Ardersier and businesses would need to increase their security;
- tourists being put off the area due to all the rubbish that would be left which also creates a health risk;
- children running around beside operating industrial machinery is dangerous;
- illegal bonfires;
- poor access along Mains of Connage farm road;
- existing site at Longman should be used instead.
- issues when it was a non-official site and creating an official would likely impact on tenants of industrial estate and airport users;
- the sites are contrary to the provisions of the noise sensitive area as identified in the A96 Growth Corridor Development Framework and the expansion of the airport, airport runway and airport business park as identified in the A96 Growth Corridor Development Framework and Highland-wide Local Development Plan;
- risk of debris from the sites interfering with aircraft movements to and from the airport including operational safety;
- a better site could be found at Tornagrain side of wood (B1), as this site would be much more pleasant for travellers;
- Previous social/police issues which negatively effected the running of a nearby business including the stealing of fuel, the current economic climate makes it difficult to cope with this effect and they will need to reconsider their future in the estate due to extra funding needed to cover 24 hour security;
- a specific need has not been identified for Gypsy/Traveller provision through the HNDA or Highland Housing Strategy, therefore the need does not exist;
- Site T2 has previously been used by travellers this was to serious detrimental effect;
- The Council has not accorded with Section 17(2) of the Town and Country Planning (Scotland) Act 1997 as reasonable alternatives have not been identified to the traveller temporary stop sites. The respondent considers that the main issues report is inaccurate as it states that sites T1 and T2 are identified for the same use in a previous local plan or Highland-wide Local Development Plan, which was not the case.

Modifications sought by those submitting representations:

B1

- Site currently under consideration by Scottish Prison Service (although not a preferred site)
- Inclusion of requirement for FRA for each phase of planning application
- Inclusion of developer requirement to safeguard 40ha of long established plantation

T1 & T2

- Non-allocation of sites T1 and T2

Council's summary of responses to comments:

B1

The developer requirements highlighted by SNH and SEPA in terms of woodland safeguarding; protected species and flood risk are noted. These will be included in the

Proposed Plan in the developer requirements for the allocation. Planning permission granted in 2011 for Class 4 (business), Class 5 (general industry), Class 6 (storage and distribution), a hotel and conferencing unit and other supporting uses. The principle of these uses has therefore been established and the detail will be progressed through Matters Specified in Conditions applications. In terms of the boundaries of the allocation, these have been updated since those set in the Inverness Local Plan to reflect the updated position. It is therefore appropriate the boundaries of the planning consent are included in the Proposed Plan.

T1 & T2

The concerns that have been raised by objectors which have been noted above are acknowledged. A separate Schedule 4 contains the Council's full response to these issues – it is proposed that sites T1 and T2 are not retained in the Proposed Plan.

Recommended Proposed Plan Content:

- The Proposed Plan text and mapping is available within the Committee papers
- In summary, the following MIR site is retained: B1
- All remaining MIR sites are not retained

Issue	MORAYHILL/ CASTLE STUART	
MIR reference:	MIR 7.13	
List of persons and organisations who submitted comments (including reference number):		
Highlands & Islands Green Party (00491), Moray Estates (01039), Scottish Environment Protection Agency (00523), The Scottish Government (00957), Mrs C Stafford (00511), Scottish Natural Heritage (00204)		
Summary of comments received:		
Morayhill (I1)		
<ul style="list-style-type: none"> Support for allocation for the following reasons: - additional traffic could be accommodated via existing Norbord junction; - potential for site to be served by new strategic foul drainage solution for wider A96 corridor; - site is capable of remediation given current use as sand/gravel pit; - excellent opportunity for the sustainable expansion of an existing commercial use or the development of new potential opportunities in the industrial or renewables sphere. 		
Castle Stuart (MU1)		
<ul style="list-style-type: none"> The western section of the allocation contains the scheduled monument Newton of Petty, settlement 350m WNW of (Index no. 11835). This should be reflected in the developer requirements. Historic Scotland would wish to be involved in early discussions on how to deliver the allocation with consideration to the Scheduled Monument; No allocation should be made as this would likely increase the need to travel for living, work and leisure. Developer requirements should include Flood Risk Assessment; sewerage should connect into existing drainage system provided capacity is available 		
Modifications sought by those submitting representations:		
MU1		
<ul style="list-style-type: none"> Developer requirements to ensure allocation is developed giving consideration to the Schedule Monument. Developer requirements to include Flood Risk Assessment and requirement for sewerage to connect into existing drainage system provided capacity is available 		
Council's summary of responses to comments:		
I1		
Support of the site from the developer is noted. No other representations have been received regarding the allocation. It is noted that proposed uses suggest by the developer include industrial or renewables related uses, in particular an Environmental Impact Assessment screening opinion for 250kw anaerobic digester was submitted to the Council in October 2012. The availability of the site will allow expansion of an established industrial use at Norboard and also the potential for a wider range of uses. Development of the site would utilise the existing access to the A96(T) and is considered acceptable		

subject to any road/junction improvements required.

MU1

The need for developer requirements to address surface water drainage and any impact on the Scheduled Monument at Newton of Petty is acknowledged. Requirements will also be included to address improved visibility at junction with A96, traffic management and possibly the need for improved pedestrian cycleways. MU1 is considered a long term allocation; related to holiday accommodation to be developed beyond the expansion of the existing Castle Stuart golf course.

Recommended Proposed Plan Content:

- The Proposed Plan text and mapping is available within the Committee papers
- In summary, the following MIR sites are retained:
Morayhill I1 and Castle Stuart MU1

Issue	WHITENESS	
MIR reference:	MIR 7.17	
List of persons and organisations who submitted comments (including reference number):		
Highlands & Islands Green Party (00491), Mr Tony Kell (01025), Mrs C Stafford (00511), RSPB Scotland (01186), Scottish Environment Protection Agency (00523), Scottish Natural Heritage (00204)		
Summary of comments received:		
<p>I1 (preferred)</p> <ul style="list-style-type: none"> • Allocation at this site should not be made and any proposals that come forward should be considered in the context of other local and national policies • Consider that all mixed use and industrial sites within Whiteness have the potential to impact on the Inner Moray Firth SPA and should be assessed as outlined in SPP and SOEnD Circular 6/1995 • Plan should have same environmental safeguard content as HWLDP. Suggests additional HRA check on in-combination effects with other projects such as Nigg. Surveys and mitigation should concentrate on effects on birds, seals, dolphins, other cetaceans, sandbanks, otters, porpoise, reptiles and rare lichen. • SEPA – will not object subject to text recommending that FRA updated as detailed proposals come forward to ensure proposals in line with previous recommendations. FRA will be required in support of any planning application. <p>MU1 (non-preferred)</p> <ul style="list-style-type: none"> • Concerned about significant loss of woodland • Support non preferral of site because of individual and cumulative impacts on SPA and SAC • Object unless the site is supported by a Flood Risk Assessment prior to inclusion in the Proposed Plan 		
Modifications sought by those submitting representations:		
<p>I1</p> <ul style="list-style-type: none"> • Inclusion of same environmental safeguard content as HwLDP plus additional HRA check on in-combination effects with other projects such as Nigg. Surveys and mitigation should concentrate on effects on birds, seals, dolphins, other cetaceans, sandbanks, otters, porpoise, reptiles and rare lichen. • Inclusion of text specifying FRA requires to be updated as and when detailed proposals for the site develop • Site should be allocated for travellers site <p>MU1</p> <ul style="list-style-type: none"> • Non-allocation of site 		
Council's summary of responses to comments:		

I1

The site has been identified in Scottish Government's National Renewables Infrastructure Plan (N-RIP) as a 'best fit location' for renewable energy development. This identification was based on a range of criteria such as proximity, site, location and timescale. Whiteness therefore has the potential to contribute to the development of the renewables sector and as such a positive recognition of this in the IMFLDP remains valid. A planning application for planning permission in principle (PIP) for a port and port related services for energy related uses has recently (May 2013) been received by the Council. The IMFLDP is therefore consistent with this position. The ES submitted alongside the PIP acknowledges that whilst there is a live permission for residential development, this is not economically viable to implement in the short to medium term.

The need to ensure the Flood Risk Assessment for the site is updated as and when detailed proposals develop is acknowledged – this will be reflected in the text included in the Proposed Plan.

The Council is progressing the IMFLDP's Habitats Regulation Appraisal (HRA) and accepts that the allocation should be subject to an additional HRA check on in-combination effects with other projects such as Nig.

It has been suggested the site is allocated as a travellers site however this is not a landowner/developer intention.

MU1

The site was shown in the Main Issues Report as a non-preferred site due to the significant loss of woodland; potential impacts on environmental designations; distance to facilities and proximity to an industrial allocation. Support for this position outlined in representation is noted and it is proposed that the site will not be allocated in the Proposed Plan for the reasons stated above.

Recommended Proposed Plan Content:

- The Proposed Plan text and mapping is available within the Committee papers
- In summary, the MIR site I1 is retained:
- The MIR site MU1 is not retained

Issue	Ross-shire strategic employment sites	
MIR reference:	MIR 7.38 MIR 7.39 MIR 7.40	
List of persons and organisations who submitted comments (including reference number):		
Highlands & Islands Green Party (00491), Nigg & Shandwick Community Council (00313), Scottish Environment Protection Agency (00523), Scottish Natural Heritage (00204), RSPB Scotland (01186), St Francis Group (01081)		
Summary of comments received including reference no:		
<p><u>Nigg</u></p> <p>General Respondent states that the dark green area over Hill of Nigg designated as preferred open space is welcomed as it identifies it as land not to be developed.</p> <p>Sites</p> <p><u>B1</u> The symbol used for the ferry at B1 is not in the key. Respondents questions if ferry will be run all year when Nigg Energy Park goes into full production. The ferry should be on a tourist route. Respondent would like it to be mentioned that B1 is an ideal point to observe cruise liners.</p> <p>Respondent considers that the re-opening of the hotel is a private decision by the owner.</p> <p>SEPA do not object provided the following developer requirements included in Proposed Plan. This is a proposed ferry connection so would meet the exceptions of SPP. Basic topographic data provided only ferry development proposed and any buildings located outwith flood envelope.</p> <p><u>I1</u> Requests re-statement of developer requirements from site policy within HwLDP and Nigg Masterplan to demonstrate HRA conformity. Also same site boundary as HwLDP should be used (especially to exclude the Inventory woodland close to Pitcalzean House and the Rosemarkie and Shandwick Coast SSSI). Species surveys should include reptiles.</p> <p>Respondent objects to the boundary of I1. The industrial area as shown is too large. The boundary should:</p> <ul style="list-style-type: none"> - only go up to the road on the west side. - On east side it should skirt the private properties on east side of road and houses and hotel at beach. - Should only go a short way up the road going to quarry and up to Pitcalzean House in a northern direction. - Boundary seems to have been drawn to include the quarry but from quarry to almost the B9175 there is a private road. <p>The Council has no right to designate private houses, land and public roads as industrial.</p>		

SEPA do not object provided the following developer requirements included in Proposed Plan. Development on lower areas are mostly at risk from coastal flooding and any mitigation needs to be proposed depending on type of development. On other parts of the site fluvial flood risk should be considered including any existing culverts. Extreme sea level information available on request. Flood Risk Assessment will be required in support of any planning application.

Respondent, acting on behalf of St Francis Group, supports the preferred status of I1 in Nigg:

- Supports the Development Strategy in relation to the Council's option to support the delivery of an effective land supply for new business and industrial development. And the submission has demonstrated the land at Pitcalzean Farm is an effective site suitable to accommodate new business and industrial development.
- Supports the opportunity to regenerate Nigg; improve access, create new jobs and deliver a major new investment to the Highlands.
- Supports the Council's preference for I1 for industrial and business use at Nigg. And particularly welcomes the Council's positive assessment of the opportunity for the site to accommodate industry which has specialist large-scale space requirements, e.g. Renewable energy plant / components or mailers relating to decommissioning and subsea marine fabrication.
- Respondent highlights the effectiveness of land at Pitcalzean Farm for future industrial and business development related to the Nigg Yard. This has been demonstrated through studies examining proximity to natural heritage interests; the visual impact of the proposed expansion and the physical capacity of the site to accommodate development characteristics and requirements of the offshore renewable industry.

RSPB consider that all mixed use and industrial sites within Nigg have the potential to impact on the Inner Moray Firth SPA and should be assessed as outlined in SPP1 and SOEnD Circular 6/1995 (amended June 2000).

Fearn Aerodrome

General

Requests settlement-wide developer requirement for species surveys (including reptiles).

Sites

B1

Comments that proposed development likely to have a significant effect on European natural heritage site.

The existing airfield at B1 does not appear to be shown.

B1 is a very large site to be allocated and in the absence of detailed guidance, inappropriate development would be difficult to resist. This might be better left unallocated and be subject to other plan policies for any proposals that come forward.

SEPA do not object provided the following developer requirements included in Proposed Plan. The site is large so most flood risk areas could be avoided but contains several road crossings (culverts or bridges) which need to be considered. The area is relatively flat. Any new road crossings should be designed to convey a 1:200 year standard and any

upgraded crossings must show there is no increased flood risk elsewhere. The functional floodplain should be identified and considered within any FRA. Flood Risk Assessment will be required in support of any planning application.

MU1

Comments that proposed development likely to have a significant effect on European natural heritage site.

Concerns re potential adverse effects upon Loch Eye SPA in terms of loss of feeding grounds for wintering greylag geese and whooper swans. Requests HRA check of this site in conjunction with Fendom Aerodrome proposal and any small scale wind energy proposals closeby which can cause disturbance to these bird interests. Site should not be retained if in-combination HRA check demonstrates adverse effect on integrity of site. Assumed that respondent objects to parts of MU1.

The area within MU1 that is within Nigg and Shandwick Community Council area is currently agricultural and should remain so, as should the land surrounding the disused airfield.

MU1 is a very large site to be allocated and in the absence of detailed guidance, inappropriate development would be difficult to resist. This might be better left unallocated and be subject to other plan policies for any proposals that come forward.

SEPA do not object provided the following developer requirements included in Proposed Plan. The site is large so most flood risk areas could be avoided but contains several road crossings (culerts or bridges) which need to be considered. The area is relatively flat. Any new road crossings should be designed to convey a 1:200 year standard and any upgraded crossings must show there is no increased flood risk elsewhere. The functional floodplain should be identified and considered within any FRA. Flood Risk Assessment will be required in support of any planning application.

Fendom

General

Requests settlement-wide developer requirement for species surveys (including reptiles).

Sites

1

Comments that proposed development likely to have a significant effect on European natural heritage site.

Concerns re potential adverse effects upon Loch Eye SPA, Dornoch Firth & Morrich More SAC and Dornoch Firth and Loch Fleet SPA in terms of loss of feeding grounds and flight paths. Requests HRA check of this site in conjunction with Fearn Aerodrome proposal and any small scale wind energy proposals closeby which can cause disturbance to bird interests. Site should not be retained if in-combination HRA check demonstrates adverse effect on integrity of site.

The proposed allocation are inappropriate on this environmentally sensitive site.

SEPA do not object provided the following developer requirements included in Proposed Plan. Text modified to state development of the site would have to be supported by a FRA. If development is proposed close to the watercourse this could be adequately dealt with by site layout considerations and allocating greenspace or a buffer zone in vicinity of the watercourses. Flood Risk Assessment will be required (could be a basic one for industry) in support of any planning application. Numerous small watercourses to be considered.

MU1

Comments that proposed development likely to have a significant effect on European natural heritage site.

Concerns re potential adverse effects upon Loch Eye SPA, Dornoch Firth & Morrich More SAC and Dornoch Firth and Loch Fleet SPA in terms of loss of feeding grounds and flight paths. Requests HRA check of this site in conjunction with Fearn Aerodrome proposal and any small scale wind energy proposals closeby which can cause disturbance to bird interests. Site should not be retained if in-combination HRA check demonstrates adverse effect on integrity of site.

The proposed allocation is inappropriate on this environmentally sensitive site.

SEPA do not object provided the following developer requirements included in Proposed Plan. Text modified to state development of the site would have to be supported by a FRA. If development is proposed close to the watercourse this could be adequately dealt with by site layout considerations and allocating greenspace or a buffer zone in vicinity of the watercourses. Flood Risk Assessment will be required in support of any planning application. Numerous small areas of coastal and fluvial flood risk plus small watercourses to be considered.

Council's summary of responses to comments:

Nigg

General

While the respondent supported the allocation of open space at Nigg Hill, this was non-preferred open space as the approach being taken by the Council is to only allocate areas of open space within settlements if they can be considered as areas of high quality, fit for purpose open space as defined by the Open Space in New Residential Developments: Supplementary Guidance and the qualitative criteria as set out in the Highland Greenspace Audit.

Sites

B1

The ferry is considered a tourist route and the running of the route only between April and October confirms this. The ferry also is part of the national and North Sea cycle routes. It is unknown as to whether the ferry will run all year round.

It is an aspiration of the Council to increase tourism across Highland. The Nigg-Cromarty Ferry is a key tourist facility and its growth is to be supported. As with any development it is up to the developer to bring it forward. It is understood that the hotel is now in use as a private residence.

With regard to flood risk the former use of the Hotel is the use which is supported with no

further development proposed. However, if further development is to be brought forward on the site, a Flood Risk Assessment will be required.

It is proposed that this site is not included in the plan as it is not available for development.

I1

This site covers the wider site as identified in the Nigg Yard Masterplan. Following examination of the Highland-wide Local Development Plan the Reporter reduced the boundary to only cover the area shown in the Adopted Highland-wide Local Development Plan and ensured the policy was re-worded to include a number of developer requirements. Through the statutory adoption process for the Nigg Masterplan an updated HRA was prepared. The developer requirements set out in the Highland-wide Local Development Plan and the Nigg Masterplan will be carried forward into the Inner Moray Firth Local Development Plan if this site is allocated as well as requirements related to species surveys. It is also considered that the boundary will be reduced to reflect the boundary as shown in the Highland-wide Local Development Plan including the areas shown as potential expansion in the Plan. Other areas at Pitcalzean Farm are not to be allocated in order to safeguard the natural, built and cultural heritage interest of the site.

Given the coastal location of the site a Flood Risk Assessment will be required in support of any planning application on the site.

It is proposed that the site is included in the Proposed Plan with a modified boundary taking in the expansion areas identified in the Highland-wide Local Development Plan. The site will continue to be supported by the Nigg Yard Masterplan.

Fearn Aerodrome

General

Given the scale of the site there are likely to be a number of varied habitats present across the site. It is therefore appropriate to include a requirement for species surveys for any development on the sites at Fearn Aerodrome.

Sites

B1

A Habitats Regulations Appraisal of the Inner Moray Firth Local Development Plan is currently being carried out. This will identify the potential effects on the connected Designated Sites both alone and in-combination and any required mitigation will be included in the Proposed Plan. If the site, or part thereof, is likely to have a significant effect on a European Designated site the site will not be included in the plan or modified to avoid the likely significant effect.

The airfield was not shown as a specific designation however it is intended that the use of the airfield would be continued.

Allowing the general policies of the Highland-wide Local Development Plan alone to be used for consideration of planning applications on this site may mean that the wider goal of re-use of this significant area of brownfield land would not come to fruition. A number of developer requirements will be put in place to ensure that development on this site will be guided to the best locations on the site and do not have significant adverse affects on the

natural, built and cultural heritage of the site. This would also include developer requirements related to impact on the water environment including flood risk and culverting of watercourses.

It is proposed that this site is retained within the plan to support the continued growth of the existing uses on the site.

MU1

A Habitats Regulations Appraisal of the Inner Moray Firth Local Development Plan is currently being carried out. This will identify the potential effects on the connected Designated Sites both alone and in-combination and any required mitigation will be included in the Proposed Plan. If the site, or part thereof, is likely to have a significant effect on a European Designated site the site will not be included in the plan or modified to avoid the likely significant effect.

Allowing the general policies of the Highland-wide Local Development Plan alone to be used for consideration of planning applications on this site may mean that the wider goal of re-use of this significant area of brownfield land would not come to fruition. A number of developer requirements will be put in place to ensure that development on this site will be guided to the best locations on the site and do not have significant adverse affects on the natural, built and cultural heritage of the site. This would also include developer requirements related to impact on the water environment including flood risk and culverting of watercourses.

It is proposed that this site is not included in the plan at this time as it is surplus to requirements.

Fendom

General

Given the scale of the site there are likely to be a number of varied habitats present across the site. It is therefore appropriate to include a requirement for species surveys for any development on the sites at Fendom.

Sites

I1

A Habitats Regulations Appraisal of the Inner Moray Firth Local Development Plan is currently being carried out. This will identify the potential effects on the connected Designated Sites both alone and in-combination and any required mitigation will be included in the Proposed Plan. If the site, or part thereof, is likely to have a significant effect on a European Designated site the site will not be included in the plan or modified to avoid the likely significant effect.

A number of developer requirements will be put in place to ensure that development on this site will be guided to the best locations on the site and do not have significant adverse affects on the natural, built and cultural heritage of the site. This would also include developer requirements related to impact on the water environment including flood risk and buffer zones around watercourses.

MU1

A Habitats Regulations Appraisal of the Inner Moray Firth Local Development Plan is currently being carried out. This will identify the potential effects on the connected Designated Sites both alone and in-combination and any required mitigation will be included in the Proposed Plan. If the site, or part thereof, is likely to have a significant effect on a European Designated site the site will not be included in the plan or modified to avoid the likely significant effect.

A number of developer requirements will be put in place to ensure that development on this site will be guided to the best locations on the site and do not have significant adverse effects on the natural, built and cultural heritage of the site. This would also include developer requirements related to impact on the water environment including flood risk and buffer zones around watercourses.

It is proposed that elements of both sites MU1 and I1 are retained as a single allocation to support re-use of the former pipe bundling operation site and the wider area. It is proposed that the rest of the site is not included in the plan at this time as it is surplus to requirements.

Recommended Proposed Plan Content:

Nigg

- The following sites are retained but with modified use/boundary
I1
- Remaining MIR sites and suggested new sites are not retained / recommended for inclusion

Fearn Aerodrome

- In summary, the following MIR sites are retained:
B1
- Remaining MIR sites and suggested new sites are not retained / recommended for inclusion

Fendom

- The following sites are retained but with modified use/boundary
I1/MU1 (Merged and boundary reduced)
- Remaining MIR sites and suggested new sites are not retained / recommended for inclusion

Issue	INVERNESS CITY & ENVIRONS
MIR reference:	Main Issues Report (MIR) 7.11
List of persons and organisations who submitted comments (including reference number):	
<p>3A Partnership Ltd (01034), Alastair Cunningham (00583), Allan Simpson (00324), ASDA Stores Limited (01070), Balloch Community Council (00492), Bob And Liz Shannon (00991), Burt Boulton Holdings Ltd (01209), Cardrona Charitable Trust (00988), Catesby Property Group (01256), Clare Ross (00381), Cllr Kate Stephen (01348), Combined Power And Heat Highland Ltd (00983), Community Land Scotland (00685), Councillor Jim Crawford (00556), Culcabock & Drakies Community Council (00279), D. Fraser (01153), D. MacLellan (00053), Derek Adams (00074), Di Cromarty (00650), Donald Boyd - Collective Response (01351), Donald Macintosh (00502), Dr And Mrs Pumford (01282), Dr Ken Oates (01011), Dr Maria De La Torre (01205), Edinburgh Woollen Mill Group - Holm Mills (01254), Emma Marr (00304), Ewan Meg Snedden (00379), Fairways Leisure Group Ltd (01195), G. Mackie (00070), H. McKerracher And K. Matheson (01101), Helena Ponty (00634), Highland And Island Enterprise (01035), Highland House Properties (01033), Highlands & Islands Green Party (00491), Hilton, Milton And Castle Heather Community Council (00290), Horne Properties (01004), Inverness Civic Trust (01064), Inverness Estates (00944), Inverness Harbour Trust (01196), Inverness Properties (01023), Inverness West Community Council (00296), J Davis Addly (01304), Kenneth & Carol Munro (00651), Khaleb Elsapah (00047), L Mackay (00036), L.A. Maclean (00657), Lochardil And Drummond Community Council (00304), M. O'Connor (00052), Macdonald Estates (01313), Macdonald Hotels (00985), Mackay (01005), Marr (01007), Mary Richmond (00055), Merkinch Community Council (00307), Ministry Of Defence (01177), Mr Alan Croxford (00972), Mr Allan Hunter (01152), Mr And Mrs D Macdonald (01302), Mr And Mrs MacDougall (01140), Mr And Mrs MacKintosh (00945), Mr And Mrs MacNeill (00935), Mr And Mrs P McIntosh (01168), Mr And Mrs S Robertson (00928), Mr And Mrs Sutherland (00767), Mr And Mrs William Macbeath (00006), Mr Brian Ashman (00067), Mr Brian Grant (00769), Mr Clive Richardson (00683), Mr D And E Williams (00961), Mr David Ross (01183), Mr Dereck Mackenzie (00678), Mr Donald B Henderson (01054), Mr Donald Finlayson (01219), Mr Donald Gibson (01221), Mr Donald M Fraser (00959), Mr Edwin And Linda Simpson (01055), Mr F Driver (01131), Mr Fraser Hutcheson (00986), Mr George MacWilliam (01215), Mr I Alexander (01016), Mr Iain Cassidy (01134), Mr Ian Hunt (01270), Mr Jim Cockburn (00897), Mr Jim Savage (00034), Mr John Craig (00703), Mr John Glendinning (00996), Mr John McAuslane (00934), Mr John Paterson (00900), Mr John Richmond (00898), Mr Kenneth Sutherland (00937), Mr MacLean (01268), Mr Malcolm A Macleod (01141), Mr Mark Hornby (00414), Mr Martin MacRae (00706), Mr Michael Gillespie (01090), Mr Neil Pirritt (01243), Mr Owen Morris (00975), Mr Pete Loutit (01240), Mr Robert M Phillips (01230), Mr Roger Reed (00965), Mr Ron Fraser (00648), Mr Ron Lyon (01239), Mr Stephen And Beverley Chalmers (00700), Mr T Rooney (00040), Mr Tom Gibson (01222), Mr Tony Kell (01025), Mr Trevor Martin (00049), Mr W Cameron (01026), Mr W Macleod (00013), Mr William And Jennifer Smart (01044), Mr William Boyd (00332), Mrs Babs Kinnear (01234), Mrs Bea Wallace (00971), Mrs C Stafford (00511), Mrs C Wood (00948), Mrs Christine Milton (00618), Mrs E Ross (00649), Mrs Helen Wilson (01181), Mrs J Mackinnon (00924), Mrs Janet Macpherson (00775), Mrs Katrina Coutts (01084), Mrs Maggie Parks (01265), Mrs Margaret N Sanderson (01263), Mrs Mary Coonan (00859), Mrs Morag MacLeod (01180), Mrs Sheena Robertson (01143), Ms Anita Gibson (01220), Ms Carol Taylor (00989), Ms Claire Wilson (01056), Ms Elizabeth Davis (01086), Ms Freda Newton (00987), Ms Georgia Gibson (01225), Ms Hilary Smith (01241), Ms Jean Ferguson (01298), Ms Jemimah Morris (00953), Ms Katherine Morris (00954), Ms Kathleen Sutherland (00938), Ms Margaret G Ross (01130), Ms Olga Grant (00936), Ms Paula Thomson (01029), Ms Paule Mackay (01109), Ms Rebekah Morris (00952), Ms Susan Cameron (00921), Muirtown Community Council (00309), Norah Munro (00600), Pamela And Alasdair Chambers (00977), Raigmore Community Council</p>	

(00314), Richard Crawford - Collective Response (01352), Rizza (01006), Robert Boardman (00033), Robertson Homes (00206), RSPB Scotland (01186), Scottish Canals (00655), Scottish Environment Protection Agency (00523), Scottish Natural Heritage (00204), Scottish Prison Service (00662), Simpson Highview (01058), Simpson's Garden Centre (00780), Smithton & Culloden Community Council (00317), Strathnairn Community Council (00320), Stuart Mackenzie (00073), The Executory Of Hector Munro (01311), The Highland Council Housing Service (01308), The Nairnside Estate (00214), The Scottish Government (00942), The Scottish Government (00957), To The Occupier (00037), To The Occupier (00038), To The Occupier (00039), To The Occupier (00041), To The Occupier (00042), To The Occupier (00043), To The Occupier (00044), To The Occupier (00045), To The Occupier (00046), To The Occupier (00048), To The Occupier (00050), To The Occupier (00051), To The Occupier (00054), To The Occupier (00056), To The Occupier (00057), To The Occupier (00059), To The Occupier (00062), To The Occupier (00063), To The Occupier (00064), To The Occupier (00066), To The Occupier (00068), To The Occupier (00069), To The Occupier (00071), To The Occupier (00072), To The Occupier (00075), To The Occupier (00076), To The Occupier (00077), To The Occupier (01118), To The Occupier (01122), Tulloch Homes Ltd (00393), Unknown Client (01314), Valerie Grant (00065), Vicki Fraser (00060), Visit Scotland (01346), W A MacDonald Building Consultant (00177), Welltown Farm (00768), William Gray Construction Ltd (01071)

Summary of comments received:

GENERAL ISSUES

Strategy & Miscellaneous

- Several respondents suggest the Plan should restrict City sprawl, concentrate on brownfield not greenfield sites and disperse housing demand and jobs to surrounding towns and villages.
- Many believe there is already sufficient development land allocated and with planning consent.
- Some believe that large scale housing developments are not appropriate to the character of Highland communities.
- Landowners, developers and agents argue that development in the countryside around the City should be supported because this is where people want to live.
- Several respondents seek a restriction on further retail development outwith the City Centre and other established commercial centres.
- Mixed reaction to need for and location of energy-from-waste facility in Inverness.
- One request that Plan mapping shows a clearer City development boundary.
- Support for Longman area being reallocated for business and industrial uses only.
- Scottish Canals highlights contribution canal makes to Highland economy and promotes several proposals for expansion of uses along the canal.
- Scottish Prison Service records site search options for new prison and desire to redevelop existing prison for housing.
- Calls for more public parking west of the City centre.

Environmental

- SEPA and local groups lodge comments on many sites seeking avoidance or reduced risk of flooding.
- SNH lodge concerns about protected species and habitats impacts in particular want a strategic approach to badgers and deer and see safeguarding of green

networks as a solution.

- RSPB express particular concerns about impact of coastal industrial and business sites on Inner Moray Firth bird interests.
- Several respondents seek increased greenspace safeguards e.g. land at Lochardil Stores, Ashton Farm, Stratton, Culloden Battlefield and Strathnairn.

Transport and Infrastructure

- Several respondents dispute the necessity of East Link and that other transport issues should have a higher priority.
- Several respondents disagree with the routing and function of West Link. Some request a bypass.
- Several respondents demand that new infrastructure and community facilities are provided before or at the same time as housing and should not lag behind.
- One person suggests a hydro-electric scheme on the City section of the River Ness should be investigated.
- One respondent suggests high speed broadband is required to support commercial development at East Inverness.
- One respondent suggests restoring two way traffic on Clachnaharry Bridge.
- Support for coastal foot/cycle path to be developed along old Nairn road due to biodiversity in the area.

New Sites

- New development sites suggested at Simpsons Garden Centre for business/mixed use, woodland site at Lower Muckovie Farm for housing, land next to Drumossie Hotel for mixed use, and the former quarry at Clachnaharry for housing.

MIR SITES

Central Inverness

Harbour and Longman

- The sites at Inverness harbour received a mixed reaction. Many environmental organisations support the non-preferred status of the sites MU8 and MU9 due to the potential adverse impact on the environment and wildlife of the area. SEPA also have concerns about flooding and further impacts around the Beaully and Moray Firths. However, other respondents including the landowner take a different view and promote the strategic potential of a mixed use development in the area which they believe would provide the City with an attractive and vibrant waterfront.
- There was general support for maintaining the industrial and business uses within the Longman Industrial Estate. The response on I4 particularly focused on the incinerator, which most respondents were not in support of due concerns about the potential impact it may have on the environment and wildlife. There was also support for the potential for the sites I4 and MU21 to be safeguarded as valuable greenspace. Several respondents noted MU21 to be an appropriate site for a short stay travellers site.

Close to City Centre Sites

- The sites within the city centre were generally well supported for the proposed uses, particularly the mixed use sites. There was concern about the quality of the design and layout of any future development and how this will integrate with the historical aspects of the city centre. It was suggested that the focus should be on developing brownfield sites and that B3 could be allocated for housing. Suggestion that the former swimming pool site, Glebe Street could be allocated for housing.
- Other central sites received a mixed recreation. The Council HQ at MU14 was generally supported for redevelopment but there were objections to the Northern Meeting Park being park of it and requests for it to be safeguarded as greenspace. Suggestion that MU15 could be used for health/community facility for servicemen/women. Landowner supports the redevelopment of the existing prison for housing when the prison service vacates it.
- The Cameron Barracks allocation has been supported by the MOD as it confirms the site is under review as part of a wider programme. The Lochardil and Drummond community council consider the site should be listed and used as a tourist attraction.

West Inverness

Dunain & Scorquie

- Virtually all respondents were in support of the Council's preference for safeguarding sites H1(a),(b),(c) and B1(a),(b) as greenspace due to the importance of the Dunain woodland to Inverness and the potential adverse impact of development on walkers and the landscape. Respondents also refer to a lack of cooperation by Robertson Homes to fulfil their commitment to transfer Dunain woodland to the community. Robertson Homes note that a large part of H1(c) was granted planning consent in 2005.
- Many respondents support the non-preferred status of the site H2 due to impact on the woodland, wildlife, recreational value, groundwater and visual implications. Also cited is the importance of Craig Phadrig to Inverness and the impact of recent development. The landowner has a different view arguing it has an attractive outlook, would have minimal impact on woodland, and sits well within its surroundings.

Torvean and Ness-side Sites

- There was a variety of comments relating to the sites that will now be covered by the Torvean and Ness-side Development Brief. This included support from landowners for particular land uses such as housing and mixed use and requests from other members of the community for safeguarding areas of land for greenspace. There was some support for a marina at Torvean and concerns about potential adverse impacts development would have on the Caledonian Canal and its setting.

Muirtown, Dalneigh, Ballifeary and South Kessock

- The response was mixed towards the proposals from Scottish Canals regarding MU7 with requests for allocation of community uses only and concerns about the impact on the scheduled monument.
- SEPA are concerned about risk of flooding at sites H18, H19, H20 and H21. Community council suggests extending H18 to include B&Q building and SNH support non-preferred status of H20. Several respondents were concerned about potential impacts which development alongside the canal might have on the

Caledonian Canal itself, specifically at H4(a) and H7.

South Inverness

Knocknagael and Drumdevan

- The sites at H13, H14, H15, H16 and C4 have received a mixed reaction. The community council support the preferences given by the Council while some respondents have raised concerns over the loss of green networks and the impact on wildlife, including badgers. The landowner supports the sites which are preferred but objects to the non-preferred status of H16 stating it will help to add to the housing land supply, benefits from few constraints and transport connections are available. Owner of H12(a),(b),(c) and H13 believes they are less intrusive than H15 which has been preferred ahead of them.

Fairways

- There was a 44 person petition submitted against any development at Fairways golf course, thus supporting the Council's preference. This was mainly due to original understanding that the golf course would always be safeguarded from development, it is an important greenspace, and Fairways Leisure have already undertaken works without planning consent. The landowner objects to H35(c) not being preferred as the intention was to create a cluster of holiday lodges associated with the course, create jobs and add to the financial security of the business.

Slackbuie

- Site C8 at the Gaelic school received several objections to the preferred allocation due to the proposed expansion on to public open space. There were few comments expressing an opinion on the sites to the south of the SDR. Historic Scotland notes the potential impact from several sites which lie within the Leys Castle Inventory Designed Landscape boundary. While Historic Scotland are content with this they would ask that developer requirements need to consider the setting of the core of the designed landscape. Asda request a commerce centre designation around the MU16 site.

Milton of Leys and Inshes

- SEPA note the need for flood risk assessment on many sites in this area. The landowner objects to the non-preferred status of H46 as it is considered to have potentially good access and surrounding fields have been allocated. Despite support from the landowners of H49 due to being relatively free from constraints, most of the respondents object to the preferred status due to visual impact and scale of development. The landowner of R8 also objects to the non-preferred status of their site as it is claimed it would support planning policy, e.g. consolidating the city.
- The local community council objected to site MU17 on Balloan Road as it is a recreational play area and they wish to see it safeguarded as openspace. The landowner (Council) supports its allocation as it is argued that it is underused and not very good quality. They propose to develop houses on part of the site and improve the recreational facilities on the remaining part.
- The site MU18/H39 received several objections due to retail being inappropriate and problems with access. It was suggested housing would be suitable instead.

East Inverness & City Fringe

Major A96 Development Areas

- There is general support for the UHI allocation at B8 but some amendments suggested such as the allocation for rail halt.
- At Inverness Retail Park the landowners at B9 object to the business allocation and request it be changed to mixed use. The Green Party objects to further out of town retail, particularly R6.
- At Ashton Farm and Stratton there was a wide range of comments received. These include various requests by SNH and SEPA etc for specific developer requirements to be set out. There are some objections to the large sites regarding the scale of development and the need for large accessible greenspace in the east of Inverness over more housing and mixed use development. One request that provisions from Inverness LP regarding amenity areas at Ashton Farm and promotion of community led initiatives around Smithton and Culloden be taken forward into IMF LDP.
- The landowner of MU29 and H59 supports the continued allocation of the sites but expresses concerns about servicing, phasing, deliverability of the Inverness East development and the East Link road proposal. This is similar to the sites H55 and H56 which have received several supportive comments which highlight that they benefit from being close to existing facilities and would have little impact on existing residents in the area. There are however concerns regarding the servicing, phasing and general deliverability of the sites.

Culloden Suburbs & Balloch

- The sites between Culloden and Balloch received a mixed response with several comments supporting the non-preference due to impact on landscape character, badger concerns and a scheduled monument. The landowner objected as it is argued that it would be a sustainable extension to Culloden, provide its own facilities, it has good transport links and connections etc. The community council supports C14 as an expansion area for the school and open space.

City Fringe Sites

- The non-preferred status of sites outwith the SDA is generally supported by respondents who state issues such as problems with access, infrastructure constraints, lack of facilities, woodland and agricultural land loss and set a precedent for future development. Other respondents, mainly landowners, have objected stating that the sites would offer choice and expand the housing market in small communities, help support existing facilities and have limited impact on the landscape. Site H69, which lies on the edge of the SDA received many comments stating it was an unnecessary intrusion into greenfield land which was safeguarded by a development brief and it would set a precedent for further development in outlying areas. The landowner records a counter view arguing that the houses can be screened by existing hedgerows and trees, would deliver improved roads, and is free from constraints.

ALTERNATIVE SITES AND USES CONSULTATION

Please note that the names and reference numbers for comments submitted on this specific consultation are not listed in this document.

Simpsons Garden Centre for business/mixed use

Landowner objects to non-preferred status because: it will constrain the expansion of an important and successful local business: it is not useable public open space as recognised by the Council; its prominence is a commercial asset and necessity; badger, visual and neighbour impacts can be mitigated, and; most of the expansion area will be an open ground, outdoor use.

Woodland site at Lower Muckovie Farm for housing

Landowner objects to non-preferred status because: the land cannot be put to any productive use; the woodland is of poor quality; it would represent a natural extension of the existing housing estate, and; there is demand for more housing in the area. SNH note that any development would require: consideration of impact on woodland and green network; a species survey and protection plan if necessary; retention of as much woodland as possible; compensatory tree planting to contribute to green network.

Land next to Drumossie Hotel for mixed use

Landowner welcomes the preferred status of the east part of the site but states that the wider site would not be visually prominent if an adjoining buffer was confirmed. Also states that the distance from commerce centres should be considered a 'pro' rather than a 'con' and that it would not extend the urban form further south. SNH note a badger survey and protection plan will be required and Transport Scotland note that impact on B9177 should be assessed and relevant mitigation agreed.

Modifications sought by those submitting representations:

GENERAL ISSUES

Strategy & Miscellaneous

- More allocations on brownfield rather than greenfield sites
- Dispersal of Inverness development pressure to surrounding towns and villages
- Reduction or deletion of large housing allocations
- Some seek freer policy on housing in the City fringe countryside but some tighter restrictions
- Restriction on retail development outwith established centres
- Longman area should be allocated for business and industrial uses only
- Policy and allocations to support Caledonian Canal-side developments
- Allocations that support a new prison site and a housing allocation on the existing prison site
- A public parking requirement within the west of City centre allocations

Environmental

- All allocations checked, reduced or deleted to avoid known flood risk
- A requirement for strategic assessment and strategic mitigation of protected species and habitats issues
- All major coastal allocations assessed and if necessary reduced or deleted due to adverse bird species impacts
- Additional greenspace safeguards

Transport and Infrastructure

- Deletion of East Link and a different route for West Link
- Developer requirements that infrastructure is provided before or at the same time as new housing not afterwards
- A hydro-electric scheme allocation on the City section of the River Ness
- A policy to lobby for a high speed broadband upgrade at Culloden

- A proposal for a new two way road bridge at Clachnaharry
- A proposal for a coastal foot/cycle path on the old Nairn road

New Sites

- New development sites suggested at Simpsons Garden Centre for business/mixed use, woodland site at Lower Muckovie Farm for housing, land next to Drumossie Hotel for mixed use, and the former quarry at Clachnaharry for housing.

MIR SITES

Central Inverness

H22, MU21, R4, R5, I3, MU20

Flood Risk Assessment will be required in support of a planning application.

MU9, I2

SEPA require Flood Risk Assessment to be carried out prior to inclusion in the Plan.

I4, MU20, MU21

Sites should be safeguarded as green space.

MU14

Removal of Northern Meeting Park greenspace from MU14.

MU19

MU19 should be a Business/Tourism allocation

MU21

Allocation of part of MU21 as a Temporary Stop site for Gypsy Travellers.

I2, I4

Need for environmental appraisal and resultant mitigation as developer requirements.

West Inverness

H1(a), H3(a),(b),(c), MU2, B1(a),(b),(c)

Developer requirement that no significant development will be allowed on the site prior to completion of West Link. Developer requirements related to natural, built and cultural heritage and transfer of woodland to community ownership (assumed). Further developer contributions if further development permitted.

H1(c)

Allocate the part of H1(c) that benefits from planning permission for housing development.

H3(a), MU1, MU3

Proposed Plan should contain requirement for through road and masterplan for Westercraigs/Charleston area.

H4(a), MU15, B1(a),(b),(c),

Flood Risk Assessment will be required in support of a planning application.

H19, H20, H21, MU8, I1

SEPA require Flood Risk Assessment to be carried out prior to inclusion in the Plan.

H5, MU4, C2, H7, C5

Developer requirement to note the need to consider the setting of the Caledonian Canal.

H18

Extend H18 to include former B&Q car park

MU4

Site should be safeguarded as green space.

MU7

Respondent seeks HRA of potential adverse effects on SAC and resulting mitigation requirement. Also requirements for otter survey and protection plan plus protection of existing recreational walking routes. Another seeks the addition of leisure, tourism and waterspace uses to proposed uses and assume requirement for development brief.

I1

Developer requirement for appropriate mitigation of natural heritage impact and requirement that waste-to-energy plant is not allowed on the site.

South Inverness

H8, H9, H10, H11, H12(b), H25, H28, H35(a),(b),(c), H36, H38, H40, H41, H43, H44, H47, H49, MU6, MU23, B2, B4, B6, C8

Flood Risk Assessment will be required in support of a planning application.

H9

On respondent seeks reduction of area of H9 in the Proposed Plan. Another seeks, re-phrasing as a short to medium term site and an assurance that development will not be held up by a delay in the West Link Road.

H10

On respondent seeks developer requirement mitigation to cover potential badger great crested newt and woodland impacts. Another seeks a developer requirement to consider the setting of scheduled monument Holme Mains, Mottee 210 m SE.

H12(a),(b),(c), H13

Allocation of H12a-c and H13 for housing in Proposed Plan

H14, H15

One developer requirements for badger and woodland mitigation. Another developer Requirement that green corridor is maintained.

H15

Suggest a lesser area of allotment or the creation of a Community Production Garden on a suitable part of field C or the wider C4.

H17

Area at H17 covered by TPO should be designated as open space. Woodland must be protected from any development.

H25

Requirement of elderly housing use only.

H27

Increased parking provision to be required on site H27

H29, H30, H31

Developer requirements need to consider the setting of the core of the designed landscape

H49

One respondent seeks a developer requirement for masterplanning process to address landscape character impacts and to retain and create green networks to address woodland, badger and other natural heritage interests. Another respondent seeks extension of site H49 to include ownership boundaries. Another seeks developer requirements should note the need to consider historical features in surrounding area.

MU6

Site should be safeguarded as green space.

R3, MU16

Identification of R3 and MU16 as a Local Centre or Commercial Centre in the Proposed Plan.

MU17

Existing open space provision to be protected and enhanced.

MU18

Reallocate from Mixed Use to Residential.

MU24, MU25, B7

SEPA require Flood Risk Assessment and a Phase 1 Habitat Survey should be undertaken and any necessary mitigation included within the planning application.

MU24, MU25

Consider allocation of sites for a prison.

B2

Reallocation of site from business to mixed use and considers the area around the Edinburgh Woolen Mill should be classed as a Commerce Centre with potential for retail expansion.

B4

Extension of greenspace south of police station at Inshes.

B6

Inverness Estates seek the interim allocation for residential development of site B7 (and parts of B6) with the development of B7 providing an access route for the future development of part of H49.

B7

Pond area be excluded from B7 site boundary or stringent survey and protection plan requirements added. Landscape and green networks masterplan also required.

R7

Seeks allocation of site to Mixed Use.

R8

Retention of the R8 site for retail/commercial uses and in turn the decrease in size of C11.

C9, C10

Developer requirements need to consider the setting of the core of the designed landscape.

East Inverness & City Fringe

H50, H51, H55, H57, H59, H60, H67, H75, H78, H79, H80, H81, H82, H83, H85, MU27
MU28, MU29 MU30, MU31 MU32, MU33, MU35, B8, B9, B10

Flood Risk Assessment will be required in support of a planning application.

H83

SEPA require Flood Risk Assessment to be carried out prior to inclusion in the Plan.

H55

Historic Scotland seeks developer requirement on scheduled monument impact.

H57

Landowners request for allocation for early phased development of housing and commercial uses and ensure that access is maintained for farming.

H64

The landowner seeks the allocation of this land for housing and possible allotments.

MU27

Consider allocation of site for a prison.

MU26

Extension of site as mixed use allocation with mix of uses as stated but to include whole

area within surrounding roads including that shown as preferred public open space.

MU27

Historic Scotland seeks developer requirement on scheduled monument impact.

MU28, MU29

Development factors and developer requirements should reflect those set out in Highland wide Local development Plan.

MU29

Historic Scotland seeks developer requirement on scheduled monument impact. Another respondent seeks scheduled development date of 2016 brought forward.

B9

Change in use of allocation so that it's mixed use including development within use classes 4, 10, 8 and 11. No additional developer requirements beyond those in extant permission.

C13

Seeks allocation of site to Mixed Use.

Council's summary of responses to comments:

GENERAL ISSUES

Strategy & Miscellaneous

Restricting City Sprawl – Brownfield or Greenfield – Scale of Allocations

The Plan's strategy sees Inverness together with the A96 and Easter Ross Corridors as the engine for the Highland economy. It also sees the consolidation of the City as the short term objective – i.e. the completion of its peripheral expansion areas which have been earmarked for development for over 20 years and the regeneration of its key brownfield sites. The requested approach of exhausting all brownfield sites before greenfield development sites is considered impracticable. The Plan allocates brownfield sites where known or likely to be surplus and the settlement development area policy will allow further small scale urban infill (windfall) opportunities. However, larger developments are often more practicable on larger greenfield sites which are free of multiple ownership, contamination, access and other constraints common to urban sites. Larger development sites are appropriate to a City location and are more likely to fund or part fund, major infrastructure improvements. Accordingly, no change in strategy is proposed.

Dispersal of Inverness' Development Pressure

Surrounding towns and villages have multiple development allocations and the A96 Corridor has a new town allocation and planning permission at Tornagrain. Put simply, the Plan allows for both development within the City and in its surrounding towns and villages. A policy of "clamping down" on development within the City and forcing development pressure to the surrounding area would neither be sustainable nor practicable.

Sufficiency of Existing Allocations

See MIR site responses below and population / housing requirements schedule 4.

Development on the Fringe of the City and its Boundary

The Council accepts that not everyone wishes to live within a housing estate but it is national planning policy and sustainable to co-locate people, employment and facilities as much as possible so that unnecessary non-active travel and its attendant impacts are minimised. There is a wide range of housing types and locations within the existing housing stock and the Plan allocates for a similar range and choice. The Plan's City

mapping will exclude the countryside fringe areas unless a confirmed allocation is made. Development site suggestions on the City fringe were shown at MIR stage to show them in the wider City context and to allow them to be compared to alternatives within the existing urban area.

Restricting Retail Development Outwith Established Centres

An embargo on further retail development outwith the City centre would be impracticable. The Plan does not allocate any new sites for retail development beyond land that already benefits from an existing allocation, permission or existing retail use. The only exception to this is a mixed use allocation at Charleston which leaves open the option of retail development in that part of the City, west of the canal, where existing retail provision is deficient and a new store could reduce the need for local residents to travel across the City. However, a strengthening of the primacy of Inverness City Centre would be appropriate. A sequential strategy policy will be added to the Strategy for Growth Areas chapter of the Plan. This will emphasise the primacy of all city and town centres within the Plan area for all forms of commercial development.

Business and Industrial Land

Support for continued safeguarding of the Carse and Longman areas for business, industrial and warehousing use is welcomed. The Plan will allocate sites within these areas for these uses. However, a policy embargo on other uses within these areas is not practicable given the pattern of existing uses. The type of sale (whether sale or lease) of Inverness Common Good Fund or Council land / buildings is outwith the Plan's scope. For information, lease is the preferred method.

Caledonian Canal

Scottish Canals' desire to promote the Caledonian Canal corridor as a tourism employment asset are noted and welcomed. The Plan will include allocations, in particular at Clachnaharry, Muirtown, Torvean and Fort Augustus to support this aim.

New Prison Site Search

The Scottish Prison Service (SPS) list of potential sites is covered in the sites section below. The Council is supportive of accommodating a new prison within the City and has allocated several mixed use sites which may be appropriate. Although not technically a bad-neighbour use the Council believes there is a potential for the public to perceive the development in this way. Accordingly, the Plan directs such a use to the larger mixed use allocations where a degree of set-back from residential properties can be achieved and yet good public transport and other connections exist or can be created. An option of non residential institutional use will be added to the Longman Landfill and Ashton Farm mixed use sites.

Parking Provision in Central Inverness

The demand for additional, west of the river, city centre parking is noted. However, options to create such parking are very limited in terms of surplus land and the cost of such provision. The Council Headquarters, Eden Court and Tesco car parks provide restricted use parking options together with controlled on-street bays. Arguably, a park and ride facility at Torvean with a regular shuttle bus service into the centre would be a more sustainable solution. The Torvean and Ness-side Development Brief includes provision for such a facility in the longer term.

Environmental

Coastal Flooding and the Settlement Development Area

To minimise the risk of coastal flooding, the City boundary should be amended to exclude sites below Mean Higher Water Springs unless the land benefits from a specific allocation

elsewhere in the Plan.

Protected Species and Habitats Impacts

The 2003 Badger Survey although useful was time consuming and expensive in its co-ordination and production and has had to be supplemented since by proposal-specific site surveys. It is agreed that adequate green network (with suitable habitat(s)) protection, enhancement and creation is the optimum solution for badgers and other species including humans. The Plan does not confirm all of the City fringe site options that were contained within the MIR and adds green network developer requirements to the larger, retained development sites. Sustainable deer management is an important issue but outwith the scope of a site-specific development plan policy. There may be site-specific issues such as deer fencing but these would normally be addressed by planning condition when the detail of a site layout is known and boundary treatments are defined. A developer requirement for a great crested newt survey is appropriate where a site contains a sizeable, permanent pond but where possible these features will be excluded from development sites or form part of a built development-free green network within the larger allocations. Site specific safeguards are detailed in the MIR Sites section below.

Flooding

The Council recognises and is planning to mitigate for significant fluvial and pluvial flood risk in the Culloden area. The slope, soil types, number of watercourses and proximity of dense development areas all contribute to a higher risk. A phased programme of maintenance and minor flood alleviation works are already underway and more planned. These will improve the situation within existing housing areas. Within the new development allocations, the Plan will require developer funded flood risk assessments, naturalisation of watercourses if possible and water body development set-back. More generally, the Plan does not support land allocations within the 1 in 200 year fluvial flood risk areas unless there is a flood scheme proposed that will mitigate this risk or the land use is water based – e.g. floating structures, harbour developments etc. Maintenance responsibility problems with surface water drainage (SuDS) devices are a national problem and the Council is discussing potential solutions with other relevant agencies. The flood protection scheme upstream of the Ness Bridge / Bridge Street has been postponed.

Coastal Designation Impacts

All sites have been vetted in terms of their likely environmental effects both through the Habitats Regulations Appraisal and Strategic Environmental Assessment processes. These processes are ongoing but most sites will have no residual adverse effect on the Inner Moray Firth SPA either individually or in combination. However, particular sites may have, such as the proposed Inverness harbour expansion where there could be a direct loss of inter-tidal foreshore. See recommended responses for individual sites below. The Plan will not map all constraints but this information will be linked within the document.

Safeguarding Greenspaces

The Plan proposes a different approach in terms of green wedges. The adopted local plan takes a restrictive approach of preventing development in certain parts of the City to separate neighbourhoods and provide greenspace. However, these wedges have not always had a positive land use function, are often in multiple, private ownership, and are rarely accessible to all as genuine public open spaces. Accordingly, some of the wedges have been eroded by development pressure. Therefore this Plan proposes more positive community use allocations where change of land use proposals such as public parks, playing fields, golf courses and allotments can be pursued and the land better protected from competing uses. Many of the principles behind green wedges remain in the HwLDP such as creating / safeguarding green networks, preventing settlement coalescence and

set-back from major transport corridors. The coverage of safeguarded greenspaces should be updated to include all larger, useable open spaces and amenity areas that the wider public derive an amenity value from and are not appropriate for any form of development – additions will include Friars Street cemetery, Waterloo Bowling Club green and Anderson Street play area and related open space.

At least part of the land at Lochardil Stores does perform a public open space function albeit it is in private ownership. The adopted local plan allocates the northern part of the site for safeguarded open space and the southern part for healthcare use. Similar allocations would be appropriate in the new Plan. Larger greenspaces are safeguarded within the Main Issues Report and will be followed through into the Plan where they lie within the City boundary. The HwLDP's general policies provide an additional layer of protection for important trees and woodland. The particular trees at Inverarnie are now covered by a Tree Preservation Order. The request to carry forward all of the safeguarding areas from the adopted local plan is not practicable because some already benefit from planning permissions. However, larger, areas of public open space such as Smithton Park should be added to those areas safeguarded. Land either side of the old A96 is shown as an open space safeguard in the MIR and this will be replicated within the Plan. Designation of particular path routes and green networks is covered in other statutory Council guidance which will be cross referenced in the Plan but only strategic routes within the growth corridors will be shown.

Transport and Infrastructure

East Link

The Council and Transport Scotland are continuing to develop and test alternative transport solutions to resolve existing and likely future congestion in the east part of the City both on the local and trunk road networks. Additions and/or alternatives to East Link are being investigated which will attempt to further improve access to the Campus site. A Development Framework will be prepared for Ashton Farm and its wider connections once the most appropriate transport solutions have become clearer. However, the Council will definitely require a distributor road connection between the rear of the Inverness Retail Park and Barn Church Road. Similarly, the Council's will produce a Development Framework for the Inshes and Raigmore area to address its transport issues. These Frameworks will detail any agreed road improvements.

West Link

The detailed alignment and design for West Link through Ness-side is subject to an application and consenting process separate to this Plan. However, its distance from the river is determined by a combination of avoiding the River Ness flood plain and a desire to maximise the allocated housing and riverside open space areas. West Link's primary function is to reduce existing City centre congestion and to allow completion of the City's peripheral expansion areas without undue increases in congestion within the centre and on the principal radial routes. It is not a bypass. Even the Torvean Quarry entrance alternative route proposed by many protestors would only carry a maximum of 20% of its total traffic wishing to bypass the City. It is projected by 2020 that there will be a decrease in City centre traffic flows. There will be a minor increase in upper Glenurquhart Road and Dochfour Drive evening traffic flows. Recreational areas will be affected by the Council's chose route but mitigation will be provided that will minimise these impacts. Moreover, improvements are being investigated which will aim to deliver a net benefit in terms of the range and quality of facilities in the wider area. Land use planning and the choice of route for West Link are fully integrated. The Council's Route 6 follows the same broad alignment

as established in three previous development plans and defended at three public local inquiries. It is the optimum route to distribute traffic from the City's peripheral expansion across the City without increasing congestion in the centre and on the key radial routes. The Torvean and Ness-side Development Brief allocates the MacRae family land for housing development. The riverside boundary of this housing area may change subject to the results of a full flood risk assessment being prepared for the Ness at this location. The approved Brief will supersede the MIR content for this site. The Council believes its chosen route offers a better balance of environmental, traffic and cost considerations than the tunnel and high level bridge alternatives. The suggestion for a pedestrian / cycleway bridge between Holm Mills and Whin Park is noted. The West Link road bridge will incorporate pedestrian and cycleway provision and ramped connections to and from the bridge. A new foot / cycleway will be provided along the north side of the Whin Park as part of the scheme. The Council approved development plan and planning permissions issued for Westercraigs curtails City development west of the Caledonian Canal prior to completion of West Link. The Plan will repeat this principle and will reduce the housing capacity of land at Charleston compared to the adopted local plan position.

Ensuring Adequate Infrastructure Capacity Prior or Parallel to Development

In a period of public expenditure constraint and the difficulties for the private sector to forward fund major infrastructure projects, it is impracticable to have a policy stating that all necessary supporting infrastructure should be in place prior to all future development. Indeed many existing households could argue that infrastructure is inadequate for their needs. A more sensible approach is to work with the private sector and other public agencies to direct development to where there is some spare capacity in most networks or to locations where it can be added in the most cost-efficient and co-ordinated manner. For example, the Plan directs major development to the A96 Corridor where Transport Scotland and Scottish Water will make major investment in their networks supported by developer contributions. The Plan will list infrastructure requirements and where appropriate their timing relative to development phasing. BT is rolling out faster broadband to Inverness City during 2013 so this shouldn't be a particular constraint to employment prospects at Inverness East. Health care provision is included as a developer requirement within the Council's approved Developer Contributions guidance. In practice, the Plan will safeguard land for healthcare provision. Its funding is more problematic given the sharp reduction in NHS Highland funding for new medical practices. In terms of education provision, a review of the schools estate has been undertaken and the Plan allows for various merger, redevelopment and relocation options in terms of site allocations. Existing temporary school provision is being replaced with permanent provision as resources allow. For example the new Inverness Royal Academy will replace longstanding "temporary" accommodation. Developer contributions are sought on the basis of the cost of providing permanent additional classrooms.

Hydro-Electric Potential of River Ness

The flooding, conservation area and environmental sensitivities of the River Ness and the lack of gradient through the City section of the river count against its hydro-electric potential.

Clachnaharry Rail Bridge

The relatively recent reconstruction of the bridge and introduction of a three way signalised junction was a compromise between safety and cost considerations. It provides safer side road access from lower Clachnaharry.

Old Nairn Road Coastal Path

The Plan will include the route on its A96 Corridor strategy map but the detail will be taken forward via a stand alone project for which part funding has already been secured.

ALTERNATIVE SITES AND USES CONSULTATION

Please note that the names and reference numbers for comments submitted on this specific consultation are not listed in this document.

Simpson's Garden Centre Expansion

The centre's contribution to the local economy and range of facilities is recognised but the site is constrained by its proximity to the A9 and the capacity of its junction with the B9006. A reconfiguration and limited expansion of floorspace within the existing footprint may be acceptable but the overflow area suggested would set a precedent for further incremental expansion into a presently open field. It is noted that the site is within private ownership and public access is limited to that via the Garden Centre but it remains part of an important visual corridor alongside the A9 and to a lesser extent a green wildlife corridor. The site is very prominent in public views from the A9 southbound. Therefore, a new allocation should not be supported.

Woodland Site at Lower Muckovie

There is no quantitative need to allocate additional housing land within or close to the City as there is sufficient housing land already identified within the Plan. This site is located on the fringe of the City of Inverness but is not appropriate as part of any expansion of it given its poor active travel access to existing facilities in terms of distance and gradient. Moreover, the site is exclusively mature woodland. Although its proximity to the adjoining housing at Beechwood Road may constrain its agricultural productivity it is long established non-plantation woodland and any development would result in significant impact on this. The owner's claims regarding the reasons for a previous planning application refusal in 2001 are not relevant to the current decision regarding the site's allocation or otherwise. The site is not supported.

Land South of Drumossie Hotel

The site's competitive advantage at a City gateway with a high capacity trunk road junction is enough to justify an allocation so far as uses are limited to business and tourism and are compatible with the hotel use adjacent. Only part of the site is supported to ensure a suitable, visual prominence, set-back from the A9. A badger survey and transport assessment will be required together with any consequential mitigation.

Clachnaharry Quarry

The land is brownfield and doesn't provide public open space or other significant amenity benefit. It represents a suitable urban infill development opportunity and should therefore be included as a new housing site. However, its capacity should be curtailed because the site's access from the A862 has limited visibility, there are underground services in the site's frontage and the quarry face and its woodland cover provide significant constraints in terms of falling distance and winter shading set-backs.

MIR SITES

Central Inverness

Sites Close to City Centre

H23

The owner's support for a housing allocation is noted as is the preparedness to consider accommodation suitable for the elderly and traffic issues. The allocation should be retained but with developer requirements to address transport, built heritage and accommodation for the elderly issues.

H24

Additional developer requirements will be required to safeguard the memorial garden and the setting of the Mackenzie Centre. Otherwise the allocation should be retained.

MU11

Expressed support for the uses promoted is welcomed. The Council's Inverness City Centre Development Brief requires high architectural design quality in this area and was instrumental in achieving design improvements to the recent student accommodation proposal which now benefits from an extant planning permission. The allocation should be retained.

MU12

The Town House is identified for refurbishment and regeneration as part of a wider City centre allocation on Bridge Street and Castle Street. The Town Hall will be retained as a civic function venue within any refurbishment proposal. The Council is promoting a more positive and flexible approach for the modern Bridge Street development. The allocation should be retained.

B3

The site benefits from a previous (now lapsed) planning permission for hotel development. A similar proposal is at pre-planning application stage. The Inverness City Centre Development Brief supports a wider range of uses on this site and is now statutory supplementary guidance and therefore part of the approved development plan. Therefore the site should be retained for mixed uses including tourism (hotel) and housing.

Harbour & Longman

H22

SEPA's negative response to the refurbishment of the exiting travellers' site at the Longman on the grounds of flood risk is misplaced given that the former Longman landfill area has been subject to recent flood risk assessment and has been approved for development. The allocation should be retained to support the refurbishment of the existing facility.

MU8 & MU9

The Inverness Harbour Trust's expansion plans are supported to the degree that they are compatible with the wider public interest. The port's role as an employment and distribution centre is recognised and endorsed. Even the Trust's desire to diversify its use mix beyond harbour related functions is accepted but only to the degree that it does not prejudice a sensible pattern of land use and the environment. The Trust's request that all its foreshore landholding be allocated for an open-ended mix of future uses is unreasonable. There are too many environmental risks in "writing a blank cheque" for foreshore development in this area as evidenced by comments received from the statutory agencies and local groups. The following concerns are valid: flood risk; water quality impact; possible adverse impact on existing public access at Carnac Point; noise, vibration and sailing impacts on adjoining bird and dolphin interests; potential other species adverse impacts; proven connectivity between the land and European designations; impact on coastal processes; irreversible inter-tidal habitat loss; and impact on the existing sewage overflow outfall. The Plan now has a statutory 5 year cycle and site I2 represents a suitable 5 year supply of land for uses proposed by the Trust given the current property market and availability of allocated alternatives for the uses proposed. Flexibility on uses would be appropriate but excluding unrestricted Class 1 retail and housing accommodation suitable for school age occupants. The Trust is not promoting a genuine new City neighbourhood centred around a primary school and other facilities. As such,

food supermarkets and housing that generates school age children wishing to walk to a distant school through a working harbour and industrial estate would not be appropriate. Conversely, a mix of leisure and tourist uses of high quality architectural design that gains a competitive advantage from a waterfront location – i.e. wouldn't normally be found in a conventional retail warehouse park – may be appropriate. The Inverness Civic Trust's unconditional support for a wider scheme is curious given the architectural quality of previous developments at the harbour. Future development plans will consider favourably further allocations if this initial phase is seen as a success in regenerating the waterfront. Developer requirements will stipulate appropriate assessment requirements (including resultant mitigation) and high quality architectural design. A more serpentine seaward boundary may be more appropriate both visually and in terms of a managed realignment of the inter-tidal area but this is best assessed at planning application stage. The allocations should not be retained but see retention of I2.

MU20 & MU21

SEPA's opposition to the allocations subject to flood risk assessment is unusual given that the former Longman landfill area has been subject to a relatively recent flood risk assessment and it is understood this has been checked and endorsed by SEPA. Similarly, the MIR promoted energy from waste (EfW) for site I4 (see recommendation above regarding its retention) so the Council is fully supportive of such use at the former Longman landfill and other potential renewable energy uses. Those parts of MU20 that were non-preferred at MIR stage are still not supported. These parts were, the further reclamation foreshore required for the creation of a new marina, the redevelopment of the football ground and its car parks for other uses, and that section of overflow car park closest to the Kessock Bridge which suffers from severe high pressure gas pipeline constraints to development. The property development company's desire to redevelop the football ground area for competing uses is not supported given that other better allocated alternatives exist. However, site MU21 should be retained for Class 4, 5, 6 and 10 uses and as a potential temporary stop site for the gypsy traveller communities because: a stop site may be required to better manage existing ad-hoc traveller stop offs that can cause disruption to local communities; Highland and Islands Enterprise confirm there is a shortfall of land for such uses in the Inverness area; environmental considerations can be assessed and mitigated for (see I4 above regarding Appropriate Assessment); ground and contamination conditions are improving over time and can be mitigated particularly for the uses proposed; the need to maintain sufficient existing woodland to provide a wind stable, visual screen to the A9 is accepted and will be added as a developer requirement; the uses are compatible with a potential EfW site adjacent; adjoining land is allocated for safeguarded greenspace and longer term recreational use and access once landfill gas levels are negligible; Transport Scotland have identified the A9 / A82 junction as a key priority for improvement, and; the Council is supportive of the Scottish Prison Service's desire to develop a new prison in Inverness and this site may be suitable as part of a wider mix of uses because it is distant from mainstream residential properties and good public transport and other connections can be created. A developer requirement will also be set for a developer-led masterplan to be prepared for the site to deal with issues such as transport implications, flood risk, impacts on wildlife.

MU19

The suggestion for the site, should it become surplus, to be promoted as a tourism attraction is interesting but its location and poor road, path and visual connectivity means it is better suited to be retained for institutional or non public office use. The MoD's comments regarding an on-going dialogue are welcomed.

R4

The site should not be retained for reasons of retail hierarchy and impact. Therefore SEPA's concerns regarding a prior flood risk assessment are simply noted.

R5

The site comprises land previously developed, and/or with an extant planning permission for redevelopment. Accordingly, a flood risk assessment requirement would only be appropriate for any development likely to generate an adverse flooding effect. The allocation should be retained in the Plan until fully complete.

I2

The Inverness Harbour Trust's expansion plans are supported to the degree that they are compatible with the wider public interest. The port's role as an employment and distribution centre is recognised and endorsed. Even the Trust's desire to diversify its use mix beyond harbour related functions is accepted but only to the degree that it does not prejudice a sensible pattern of land use and the environment. The Trust's request that all its foreshore landholding be allocated for an open-ended mix of future uses is unreasonable. There are too many environmental risks in "writing a blank cheque" for foreshore development in this area as evidenced by comments received from the statutory agencies. The following concerns are valid: flood risk; water quality impact; noise, vibration and sailing impacts on adjoining bird and dolphin interests; proven connectivity between the land and European designations; impact on coastal processes; irreversible inter-tidal habitat loss; and impact on the existing sewage overflow outfall. The Plan now has a statutory 5 year cycle and site I2 represents a suitable 5 year supply of land for uses proposed by the Trust given the current property market and availability of allocated alternatives for the uses proposed. Flexibility on uses would be appropriate but excluding unrestricted Class 1 retail and housing accommodation suitable for school age occupants. The Trust is not promoting a genuine new City neighbourhood centred around a primary school and other facilities. As such, food supermarkets and housing that generates school age children wishing to walk to a distant school through a working harbour and industrial estate would not be appropriate. Conversely, a mix of leisure and tourist uses of high quality architectural design that gains a competitive advantage from a waterfront location – i.e. wouldn't normally be found in a conventional retail warehouse park – may be appropriate. Future development plans will consider favourably further allocations if this initial phase is seen as a success in regenerating the waterfront. Developer requirements will stipulate appropriate assessment requirements and resultant mitigation. A more serpentine seaward boundary may be more appropriate both visually and in terms of a managed realignment of the inter-tidal area but this is best assessed at planning application stage. See I1 regarding the likelihood of an Energy from Waste facility on this site. The Trust have no intention of promoting such a use. The allocation should be retained for mixed use (acceptable uses as stated above). A developer requirement will also be set for a developer-led masterplan to be prepared for the site to deal with issues such as transport implications, flood risk, impacts on wildlife.

I3

There is no specific Energy from Waste (EfW) facility suggestion for this site. However, sites with industrial allocations are secondary search areas for waste management facilities under the terms of the adopted HwLDP. That said, the land is Council owned and intended for industrial workshop provision not a waste management facility. Arguably the site is not suitable for an EfW facility in terms of its size and location. The economic case for an EfW facility in Highland is uncertain and any such provision would be complementary to, not a replacement of, existing recycling initiatives and facilities. A flood prevention scheme is in preparation for the Mill Burn and the issue of flood risk was taken into account in the consideration and granting of the industrial planning permission at this

site. The allocation should be retained.

I4

The Habitats Regulation Appraisal screened in this site as it was considered likely to have a significant effect on the Moray Firth SAC; it therefore required appropriate assessment. The appropriate assessment identified potential impacts of development of the site upon the Moray Firth SAC and subsequently identified mitigation measures that would allow there to be no residual impact on the integrity of the European site. Full details of potential impacts and mitigation are provided in the Habitats Regulation Appraisal; mitigation requirements will also be detailed in the Proposed Plan. The need to maintain sufficient existing woodland to provide a wind stable, visual screen to the A9 is accepted and will be added as a developer requirement. The site is already allocated as a potential energy from waste (EfW) facility option in the recently adopted HwLDP as it is a former landfill site, is of suitable size, and is strategically located – i.e. minimises the distance Highland's non-recycleable waste would have to be transported. However, the economic case for an EfW facility in Highland is uncertain and any such provision would be complementary to, not a replacement of, existing recycling initiatives and facilities. There is also uncertainty about the effectiveness of other potential EfW sites in Highland and it would therefore be appropriate to retain a choice of locations. Operational pollution control of such facilities is a matter for SEPA who have stringent requirements. Adjoining land is allocated for safeguarded greenspace and longer term recreational use and access. The land south-east of the Mill Burn is particularly suitable for a future nature reserve and bird watching area. However, this area is still generating significant landfill gases and is subject to monitoring. Public access is not supported in the short term. An EfW facility would be a relatively low traffic generating use and the Longman A9/A82 is identified for further improvement by Transport Scotland. Accordingly, the site should be retained. A developer requirement will also be set for a developer-led masterplan to be prepared for the site with the developer liaising with the relevant organisations including The Highland Council, SNH, SEPA etc.

West Inverness

Dunain & Scorguie

H1(a) & H1(b)

The developer's support for the sites is noted. The local support for a community woodland proposal rather than tourist accommodation for this land is also noted and endorsed by the Council. See additional reasoning within sites B1(a) and B1(b).

H1(c) & H1(d)

The majority of site H1(c) and all of H1(d) already benefit from extant planning permissions and those areas will therefore be confirmed in the Plan. Footpath connections have been retained or alternatives provided.

H2

The landowner's support for the site is noted. However, the issues raised by the objectors in terms of potential adverse effects on woodland, other habitats, species, recreation, difficulties in creating road access and levels are well founded and justify the non retention of the site.

MU1

The landowner's support for the site is noted. The site benefits from an extant planning consent and related legal agreement that controls the amount of development permissible prior to completion of a canal crossing. Some diversification of uses within the permission

may be appropriate and therefore acceptable uses should be listed as business, community, housing and neighbourhood scale retail.

B1(a) & B1(b)

The support for a community woodland proposal rather than tourist accommodation for this land is noted and endorsed by the Council. The land is safeguarded for community woodland as part of an extant planning permission and related legal agreement. The community's suggestion for a community uses designation to allow some built development similar to that at the Abriachan woodland site is appropriate to this city fringe location. The desire to promote community access, woodland management, educational interpretation and the health benefits of active recreation will be permitted under the Community use allocation. Habitat management and enhancement may be possible so long as this doesn't compromise community access. Archaeological interests should be preserved in situ and interpreted. A flood risk assessment will be required for any community woodland proposal likely to alter or worsen the drainage regime in this area. The sites should not be retained.

B1(c)

The Council accepts that bringing the listed building back into beneficial use is desirable and will therefore support flexibility in the mix of acceptable uses within the building. However, the landscape, listed building setting and infrastructure capacity of the wider Wester Craigs area is finite and therefore no endorsement is given to increasing the overall development capacity in this area beyond that already granted permission. Also see MU1.

Torvean & Ness-side

H3(a)

The landowner's support for the site is noted. The Council's Torvean and Ness-side Development Brief will determine optimum access arrangements in this area. This will be driven by where Torvean Golf Club is relocated to. The optimum arrangement means the abandonment of the adopted local plan requirement for a primary distributor road linking Leachkin and General Booth Roads. Instead a lower standard distributor would be required connecting through H3(a) to Golf View Road via the grass strip that has been left open for future access connection.

H4(a)

The housing development of the site has now been completed and therefore the site will be deleted from the Plan.

H4(b)

Detailed planning policy for this area is to be embodied within the Torvean and Ness-side Development Brief which will be determined via the City of Inverness Area Committee.

H5

Detailed planning policy for this area is to be embodied within the Torvean and Ness-side Development Brief which will be determined via the City of Inverness Area Committee. The site already benefits from a minded to grant planning permission committee decision for housing development. It is previously developed and low lying. A fresh application may offer an opportunity to diversify uses and improve design quality. The offer from Scottish Canals to use the canal as a surface water receptor is welcomed although the levels difference may make this problematic. The Brief will address the need to preserve the scheduled monument and its setting. It also promotes the creation of an extended canal waterspace to the south of the A82 (as part of site MU4) together with a tourism hub at this western gateway to the City. The Council through its Brief and West Link planning application will recognise the operational needs of canal users. The existing caravan site

and redundant petrol filling station offer no recreational value to local residents and the City offers alternative tourist accommodation.

H8

Detailed planning policy for this area is to be embodied within the Torvean and Ness-side Development Brief which will be determined via the City of Inverness Area Committee. Part of the site lies within the detailed 1 in 200 year plus climate change flood risk contour prepared for the West Link road scheme and therefore it would be appropriate to include a developer requirement to undertake a flood risk assessment and any resultant mitigation. However, that portion of the site earmarked for development within the Brief is outwith the above flood risk area. The Brief masterplan for Ness-side includes the creation of a riverside corridor with enhanced public access.

H9

Detailed planning policy for this area is to be embodied within the Torvean and Ness-side Development Brief which will be determined via the City of Inverness Area Committee. The landowner's request for earlier phasing of development here is noted but the Council will only support a first phase of development at Ness-side once a legal commitment has been made to progress the West Link scheme. This is due to the finite capacity of the Dores Road / Island Bank Road radial and other committed developments such as Ness Castle which may already take access along it prior to West Link. Part of the site lies within the detailed 1 in 200 year plus climate change flood risk contour prepared for the West Link road scheme and therefore it would be appropriate to include a developer requirement to undertake a flood risk assessment and any resultant mitigation. Part of the land at 2 Ness-side is likely to be affected by the confirmed flood risk area. The Brief masterplan for Ness-side includes the creation of a riverside corridor with enhanced public access. See West Link response in regards to the suggested alternative high level bypass route. Its associated land safeguard would require higher (most likely compulsorily acquired) residential land value compensation than that for an at grade route that opens up allocated development land.

H11

Detailed planning policy for this area is to be embodied within the Torvean and Ness-side Development Brief which will be determined via the City of Inverness Area Committee. The site lies outwith the detailed 1 in 200 year plus climate change flood risk contour prepared for the West Link road scheme. The Brief masterplan for Ness-side includes the creation of a riverside corridor with enhanced public access. The landowner's preparedness to work with the Council and adjoining owners is noted and welcomed. The Brief allows limited road access direct from Dores Road.

H18 & H19

The sites are brownfield, urban infill sites in an area much in need of regeneration. The sites are not contiguous to B&Q, which is allocated for redevelopment as part of the Muirtown Basin mixed use allocation. Much of South Kessock and the Carse is identified within the 1 in 200 year coastal flood risk area. However, this boundary is based on a view that the South Kessock embankment is not a suitable flood defence. To preclude any further development in these areas would not be practicable. Accordingly, the sites should be retained for housing development albeit with a flood risk assessment requirement.

H20

The site was non-preferred at MIR stage for the reasons stated in representations – i.e. coastal flood risk and loss of greenspace. Unlike sites H18 and H19 above, the land is not brownfield. The site should not be retained in the Plan. However, land (comprising a 40m buffer strip) to the rear of housing at South Kessock has been excluded from the local nature reserve to allow for future access and other improvements. This land should not be

safeguarded greenspace within the Plan.

H21

The site was non-preferred at MIR stage because of its coastal and fluvial flood risk and loss of greenspace. Unlike sites H18 and H19 above, the land is not brownfield, performs a greenspace function (including potential allotments) and is closer to the Firth and River Ness. The site should not be retained in the Plan.

MU2

The landowner's support for the site is noted. The site benefits from an extant planning consent and related legal agreement that controls the amount of development permissible prior to completion of a canal crossing. The Council's Torvean and Ness-side Development Brief will determine optimum access arrangements in this area. This will be driven by where Torvean Golf Club is relocated to. The optimum arrangement means the abandonment of the adopted local plan requirement for a primary distributor road linking Leachkin and General Booth Roads. Instead a lower standard distributor would be required connecting through site H3(a) to Golf View Road via the grass strip that has been left open for future access connection. This arrangement would not curtail a reasonable development capacity.

MU4

Scottish Canals support for a recreational and tourist hub in the Torvean area is welcomed. Detailed planning policy for this area is to be embodied within the Torvean and Ness-side Development Brief which takes account of and includes reference to the Caledonian Canal Scheduled Monument and its setting. The Brief supports the creation of a tourism hub at this location because of its gateway role connecting the City with the Great Glen. The nature of such a hub will depend upon where Torvean Golf Club is relocated to and whether an additional 5th leg off the proposed A82 / realigned General Booth Road roundabout at Torvean is acceptable to Transport Scotland and can be financed. Without the 5th leg the hub will be low key with limited road access, canal watching picnic facilities, limited interpretation, small scale visitor accommodation and the balance of land retained for open ground uses possibly including enhanced parking for the Rowing Club. If the optimum reconfigured Torvean Golf Course can be delivered then, existing holes 5-8 become surplus to golfing use and would form a small, informally managed "country" park. Without the optimum, this land is retained as greenspace, golf course. With a 5th leg, the Brief supports an expansion of the canal waterspace into the site with the basin so created circled by a mixture of tourism retail, interpretation and accommodation plus a road link to allow much enhanced Rowing Club access, parking and turning. Local bus operators are not convinced of the commercial viability of diverting existing services to use a formal park and ride facility on this flank of the City and would prefer bus stop provision on existing routes. The Brief will leave open the possibility of both options given that the necessity for and feasibility of park and ride will only increase over time.

MU6

Detailed planning policy for this area is to be embodied within the Torvean and Ness-side Development Brief which allocates the land for a mixture of elderly care provision accommodation, large plot single house developments and footpath and river viewing / picnic areas. These uses should not generate significant active travel movements by younger children and the Brief indicates an additional pedestrian crossing for Dores Road. A developer requirement to update the previous flood risk assessment will be included in the approved Brief. Therefore, the allocation will be retained through its inclusion within the finalised Brief.

B2

The site lies within the detailed 1 in 200 year plus climate change flood risk contour prepared for the West Link road scheme and therefore it would be appropriate to include a developer requirement to undertake a flood risk assessment and any resultant mitigation in the event of a redevelopment proposal. The owner's desire to have a greater commercial flexibility in terms of land uses has been embodied within the Council's Torvean and Ness-side Development Brief for this land. A commerce centre designation is not required in the Council's view as this may encourage further, large retail warehouse style units which would neither be appropriate to the existing and proposed primary function of the Mills area as a tourism centre nor to the attractive riverside location. It would also potentially restrict office and residential uses within any such centre.

C2

Scottish Canals support for a recreational and tourist hub in the Torvean area is welcomed. See detailed response in relation to site MU4. Detailed planning policy for this area is to be embodied within the Torvean and Ness-side Development Brief which takes account of and includes reference to the Caledonian Canal Scheduled Monument and its setting.

C3

The allocation relates to public open space provision and only a very small part of it lies within the 1 in 200 year plus climate change flood risk contour established by the West Link flood risk assessment. Detailed planning policy for this area is to be embodied within the Torvean and Ness-side Development Brief which takes account of flood risk and allocates the affected part of this allocation as an informal riverside park area which is a use compatible with the risk.

Muirtown, Dalneigh, Ballifeary and South Kessock

H6

The site is wooded and comprised an allotments / horticultural training operation. It provides some amenity value to local residents and canal towpath users and should therefore be safeguarded from development other than an extension / refurbishment of existing / former community uses.

H7

The site is part previously developed, benefits from a full extant planning permission and will provide affordable housing. Canal setting and recreational impact issues were considered during the determination of the application. The approved layout includes an appropriate, landscaped set back from the canal bank. Accordingly, it should be retained.

MU7

The Muirtown Basin has been identified in successive development plans for further development as part of a regeneration objective to uplift this part of the City which lies adjacent to neighbourhood's experiencing multiple deprivation issues. The former B&Q is included within the Basin boundary because it is contiguous to it and is the optimum access route to it. Merging the site with the Carse industrial workshops allocation would not be appropriate given that the two site uses are very likely to be incompatible. An otter survey requirement is accepted and will be added as a developer requirement but the wider concern about increased boat traffic is not because the purpose of the allocation is to promote waterfront development and urban regeneration not to increase waterborne access to the Basin. It is hoped to promote business leisure and tourism uses but housing will be important to the viability of mixed use development. It is accepted that protection of the physical fabric and setting of the scheduled monument is vital and this will be addressed by developer requirement. The allocation should be retained including the

relevant principles from the HwLDP including the intention to progress supplementary guidance via a developer master plan / framework.

MU13 & MU14

Presently, both sites are not surplus in terms of their current usage. It is uncertain whether they will become surplus within the Plan period. The need for retained public parking provision within any refurbishment / redevelopment of the two sites is accepted. Interceptor parking west of the river is important to reducing city centre congestion caused by unnecessary, river crossing car trips. A developer requirement should be added to this effect. Underground parking is unlikely to be economic. The sites, if they become surplus, should include a mix of uses including public open space which should include retention of the Northern Meeting Park greenspace. The allocations should be retained but MU13 reclassified as a community uses site within the current Plan period.

MU15

The proposal is to promote more flexibility in terms of future use of the existing buildings if and when the site is vacated as offices. Given this existing use, the buildings previous use as a hospital, and the likelihood of extending the River Ness Flood Protection scheme, a flood risk assessment requirement would not be appropriate. Built heritage and greenspace safeguards would be appropriate. A rehabilitation centre for ex-servicemen and women would be a use acceptable within the range supported. Acceptable uses should be listed as business, housing and community.

C5

The allocation is intended to safeguard the land for the retention of the existing allotments proposal and to allow for its expansion if required. Land to the north is in a similar use and the two sites should be combined and safeguarded for community purposes. Therefore, there is no detrimental effect on the setting of the Canal likely to occur and a developer requirement is unnecessary.

I1

Following a meeting with SNH, they agreed that the Carse site could be screened out in terms of potential adverse effect on any European level of protection natural heritage site. There is no specific energy from waste (EfW) facility suggestion for this site. However, sites with industrial allocations are secondary search areas for waste management facilities under the terms of the adopted HwLDP. That said, the land is Council owned and intended for industrial workshop provision not a waste management facility. Arguably the site is not suitable for an EfW facility in terms of its size and location. The economic case for an EfW facility in Highland is uncertain and any such provision would be complementary to, not a replacement of, existing recycling initiatives and facilities. The site is a brownfield and urban infill in an area much in need of regeneration. Large parts of South Kessock and the Carse are identified within the 1 in 200 year coastal flood risk area. However, this boundary is based on a view that the South Kessock embankment is not a suitable flood defence. To preclude any further development in these areas would not be practicable. The site benefits from extant planning permissions. The allocation should be retained.

South Inverness

Lochardil, Drummond, Ness Castle, Knocknagael & Drumdevan

H10

The allocation benefits from extant planning permissions for housing development which addressed, condition and/or require assessment of all of the issues raised in development

plan representations. Accordingly, the site should be confirmed.

H12(a,b,&c)

There is no quantitative need to allocate additional housing land within or close to the City. These sites are located on the fringe of the City of Inverness but are not appropriate as a formal expansion of it given their small size and relatively long active travel distance from local facilities. As such they should be treated as housing in the countryside proposals. SEPA's outright opposition to two of the three sites and conditional opposition to the third site, on the basis of flood risk is noted. This City fringe area is subject to pressure for piecemeal development and to allocate for further rural style properties at this location would set an unhelpful precedent against delineating a defensible City boundary. This factor, combined with flooding and woodland set-back issues, suggest the sites should not be retained in the Plan. Landowner concerns about formerly preferred alternatives are answered within the recommended responses to H15 and H49. H49 is not recommended for retention.

H13

There is no quantitative need to allocate additional housing land within or close to the City. This site is located on the fringe of the City of Inverness but is not appropriate as a formal expansion of it given its relatively small size and relatively long active travel distance from local facilities. However, that portion of C4 west of Essich Road would be suitable for limited built development of a community nature. It is less vital to the open green wedge aspect at this location and not subject to significant woodland and flooding constraints but would set an inappropriate precedent if developed for urban housing. A small building footprint, with good siting, design and landscaping may be acceptable. For example, the previous proposal for a small private school at this location may be acceptable. A widely defined community uses allocation is recommended which could also include allotments.

H14

The site is complete and should be removed from the Plan.

H15 & H16

The Crofting Commission's attitude as landowner is noted and to a degree is superseded by its subsequent planning application and its withdrawal. There is no quantitative housing requirement for an additional housing allocation in this part of the City. However, circumstances have changed since the last local plan review in terms of the construction of the Flood Relief Channel, which has severed a section of the bull stud farm. The lower slopes which are on the City side of the Channel are less productive in agricultural terms, and represent a sensible opportunity to infill up to a new, defensible City boundary. Moreover, the site has close proximity to the completed section of the Southern Distributor Road (SDR) and other service connections. The land lies between district centres but has reasonable connectivity to them. The upper slopes (H16) breach the flood relief channel and are visually more prominent and are not therefore recommended. A capital receipt that will reduce taxpayers liabilities elsewhere is not an over-riding consideration. Developer requirements in terms of: new woodland planting to extend existing green corridors; to provide land for allotments or other suitable public greenspace on site or adjacent, and; a badger survey: are appropriate, plus a reference to make developers aware that the SDR developer contributions agreement covers this land. A developer requirement will also be set for a developer-led masterplan to be prepared for the site with the developer liaising with the relevant organisations including The Highland Council, SNH, SEPA etc.

H17

The comments in relation to woodland protection, improved access and low density are noted, accepted and should translate into developer requirements as too should respect

for the site's built heritage. The site and surrounding land is covered by a tree preservation order. The extension of the escarpment green corridor would be appropriate given this woodland cover and network of paths in this area. However, the site remains a suitable development opportunity and this opportunity should leave open the option of retained / expanded office use. Housing capacity should be set low because of the constraints listed above. Accordingly, the allocation should be retained but as a mixed (housing and business) use allocation.

H25

The elderly persons' accommodation now benefits from a planning permission. The application considered the issue of flood risk. The Inverness South West Flood Relief Channel should mitigate risk in the adjoining burn. Accordingly, the allocation should be retained.

C4

The community council's support for a potential allotments proposal is welcomed. For clarification, this would encompass the land between Essich Road and the Inverness South West Flood Relief Channel. Similar "greenspace" uses would also be acceptable. The Crofting Commission's attitude as landowner is noted and to a degree is superseded by its subsequent planning application and its withdrawal. There is no quantitative housing requirement for an additional housing allocation in this part of the City. However, circumstances have changed since the last local plan review in terms of the construction of the Flood Relief Channel, which has severed a section of the bull stud farm. The lower slopes which are on the City side of the Channel are less productive in agricultural terms, and arguably represent a sensible opportunity to infill up to a new, defensible City boundary. Moreover, the site has close proximity to the completed section of the Southern Distributor Road. See also H15. That portion of C4 west of Essich Road would be suitable for a wider variety of community uses. It is less vital to the open green wedge aspect at this location but would set an inappropriate precedent if developed for urban housing. A small building footprint, with good siting, design and landscaping may be acceptable. For example, the previous proposal for a small private school at this location may be acceptable. Retain allocation but split into two sites west and east of Essich Road.

Fairways & Druid Temple

H35(a,b&c)

There is no quantitative need to allocate additional housing land within or close to the City. Respondents' concerns about loss of golf course playability and therefore viability, road access constraints, woodland loss, watercourse impacts, greenspace loss and precedent for further development are noted and accepted. Wider natural heritage impacts, loss of private views and the developer's track record are less certain / material. The site was non-preferred at MIR stage for the reasons stated in representations. The developer's clarification of the proposal as a golf village development is noted but is not a determining factor given the potential adverse impacts listed above. It is questionable whether golf tourists to the Highlands require on course accommodation when access to other attractions and facilities will be just as important. The sites should not be retained in the Plan.

H36

As set out in the representations opposing the site's allocation, it suffers from woodland constraints and confirmed watercourse flood risk. However, its road access constraint can be overcome by a connection from the adjoining Parks Farm development which would allow a relatively short connection onto a higher capacity distributor road and improve

active travel connections generally. This would realise a net improvement to traffic levels on the lower section of General Wade's Road. A low density housing development should be possible with improved road access and setbacks from both woodland and watercourses. However, because of the constraints and low capacity, a within City boundary, non safeguarded notation would be more appropriate than a specific, positive allocation for housing development.

H37

The site's road access constraint could possibly be overcome if the developer at Druid Temple implements a connection from the adjoining Parks Farm development which would allow a relatively short connection onto a higher capacity distributor road and improve active travel connections generally. This would realise a net improvement to traffic levels on the lower section of General Wade's Road. However, the site has such a low capacity, a within City boundary, non safeguarded notation would be more appropriate than a specific, positive allocation for housing development.

Hilton & Slackbuie

H27

The site now benefits from a planning permission for housing and reconfigured parking. It never performed a greenspace function and represents a suitable brownfield, urban infill opportunity. Accordingly, the allocation should be retained.

H28

The allocation benefits from a planning permission. The relevant applications considered the issue of flood risk. The Inverness South West Flood Relief Channel mitigates for risk in the adjoining burn. Accordingly, the allocation should be retained.

H29, H30, H33, H31& H34

The allocations H29, H30, H33 are located in the middle of a modern housing expansion area and therefore any impact on the Leys Castle Designed Landscape will be negligible. They also benefit from a planning permission. Accordingly, the allocations should be retained. The allocations H31& H34 are located close to the core of the Leys Castle Designed Landscape but already benefits from a planning permission. This application process considered and mitigated for any potential impact. Accordingly, the allocations should be retained. The allocations H30, H33 and H34 will be merged into one housing allocation as the sites are covered by a single live planning consent.

H32

The allocation is located close to the core of the Leys Castle Designed Landscape and therefore a developer requirement to assess and mitigate for any impact on it would be appropriate. Accordingly, the allocation should be retained with this requirement.

MU17

A Highland Council Housing Services planning application is pending on part of this site. The local community council's desire for retained public open space, parking and an outside adult gym are noted but refurbishment requires presently unidentified funding. A compromise solution of some affordable housing development linked to the refurbishment of existing recreational facilities is recommended. The allocation should be retained with this requirement.

R3

The Council is fully supportive of allocations R3 and MU16 comprising a mixed use Slackbuie district centre. However, Asda's request for the inclusion of all of MU16 within a

commerce centre boundary would open the door to unrestricted Class 1 retail use across the whole site. Such a potential scale of retail provision would be excessive in terms of the district population catchment served and would support a foodstore to rival Asda. Accordingly, the allocation should be retained without amendment and no commerce centre boundary added.

C8

The site has a complex planning history and competing demands for its future use. The recent planning application for a Gaelic Hub proposal has been withdrawn and an adjacent Inverness Royal Academy redevelopment proposal is at pre-planning application stage but does not include this site. A small community park has been laid out to the north west of the site. The existing Gaelic Primary School which lies to the south west of the site is close to its physical capacity in terms of nursery and primary pupil numbers. The site is allocated as public parkland in the adopted local plan. There are also restrictions on the uses permissible under the land's title conditions. It is recommended that a compromise solution be adopted whereby the allocation is widened to include the existing school and playing field but the range of acceptable uses narrowed to school and public amenity land provision only. The wider area has a history of flooding and therefore a flood risk assessment requirement is appropriate. Surface water drainage arrangements could utilise and augment pond provision within the adjacent community park.

C9 & C10

The allocations are for public open space provision located in the middle of a modern housing expansion area and therefore any impact on the Leys Castle Designed landscape will be negligible. Accordingly, the allocations should be retained.

Milton of Leys, Inshes & Drakies

H38

The allocation benefits from a planning permission. The relevant application considered the issue of flood risk. Accordingly, the allocation should be retained.

H40

The land should be retained within the City boundary but suffers from access and watercourse constraints sufficient to militate against a positive, specific allocation for housing development and therefore the MIR non preference of the site should be maintained.

H41, H43, H44, H47

The Council has drawn up draft flood prevention scheme for the Mill and Dell Burns and the implementation of these schemes should mitigate problems within the catchments. Flood risk assessment developer requirements would be appropriate where planning permissions have not already been granted. Otherwise the allocations should be retained. H47 should be extended and subdivided to reflect separate ownerships and permissions.

H46

There is no quantitative need to allocate additional housing land within or close to the City. This site is located on the fringe of the City of Inverness and is separated from the adjoining neighbourhood by a wooded burnside. The site would also set an unhelpful precedent of clustered housing development in close proximity to the A9 trunk road and its attendant pollution (air, noise and light) and future improvement set back requirements. Accordingly, the site should not be retained. However, the site will lie within the City development boundary and very small scale development related to land management and/or existing properties may be acceptable particularly if the issue of proximity to the A9 is addressed through detailed siting and design.

H48

The land is allocated for specialist housing that would benefit from close proximity to district centre facilities – for example sheltered housing. The Plan's text should clarify this.

H49

There is no quantitative housing requirement for an additional housing allocation of this scale in any part of the City or Plan area as a whole. It was preferred at MIR stage because it does not suffer from any insurmountable constraints and because the MIR was a site options draft of the Plan. Respondents' concerns about landscape character, heritage, flood risk, microclimate and road capacity are exaggerated. The allocation could have underpinned the commercial viability of the Milton of Leys neighbourhood centre and therefore made more facilities more likely. The landowners' willingness to release the land and increase the allocation's size is noted and the good outlook from the site is accepted as a positive. However, there are some doubts as to whether suitable, ransom-free distributor road access can be formed into the area and there is no quantitative deficiency in terms of housing site provision within the City given the capacity of already allocated, permitted and/or serviced sites. The adjoining developer's concerns about phasing and the availability of better alternatives are noted. Accordingly, the allocation should not be retained.

MU18

The community council's support for low density housing development is noted and this form of development is most likely in terms of built heritage, woodland and access constraints. Its opposition to retail development is not accepted because the frontage is already in retail / commercial usage which functions as part of a small neighbourhood centre on the main road frontage. Road access is accepted as the key constraint to any significant development of the site and this will be reflected in the site's developer requirements. Commercial uses should be limited to this frontage with low density housing to the rear. The Plan text should clarify this distinction but the allocation should be retained.

MU22

The respondent's concerns about coastal flood risk may have been misdirected. This site lies to the rear of Inshes Retail Park, is not subject to such risk and is almost fully developed. The allocation should be retained.

MU23

The Council has drawn up a draft flood prevention scheme for the Dell Burn but a flood risk assessment developer requirement would be appropriate. The allocation should be retained.

MU24

There is no quantitative housing requirement for an additional housing allocation of this scale in any part of the City or Plan area as a whole. The site does have a competitive advantage for tourism / commercial use at a City gateway with a high capacity trunk road junction. However, this advantage also applies to adjacent, allocated and previously consented land. Concerns about potential flood risk, potential loss of wetlands, loss of woodland, and archaeological impact (including possible adverse impact on the scheduled monument) also militate against the site. The Scottish Prison Service's interest in the site is noted but the Service and the Council recognises that better alternatives exist. Accordingly, the allocation should not be retained.

MU25

Both existing sites benefit from a development allocation within the adopted local plan but were earmarked for employment generating uses. A planning permission was granted for employment uses on site B6. The Council's aim for this area is to promote business

opportunities that will exploit the strategic competitive advantage of close proximity to a trunk road grade separated junction and provide local employment opportunities to a growing but incomplete residential neighbourhood at Milton of Leys. There is an adequate and effective housing supply locally within the surrounding neighbourhoods and across the wider City whilst there is a deficiency in the supply of strategic employment sites close to trunk road junctions with spare capacity. Heritage and drainage constraints can be addressed through suitable developer requirements but should include a safeguard from development on the pond area and a suitable set-back from it. The Prison Service's interest is noted but this is only one of many site options it has looked at and the site is not particularly suitable for prison use given its limited public transport connections. The site closest to the A9 junction (B6) should be retained for business and tourism uses but B7 should be retained and have its list of acceptable uses broadened to include housing and community.

B4 and Inshes Commerce Centre Boundary

Land south of the Drakies Police HQ has been safeguarded for its expansion for several years. Police Scotland advise that this land is still required at least as an option for expansion of justice and/or other public services at this location. The land may also be required in connection with the reconfiguration of Inshes roundabout and uses taking access off it. It is therefore appropriate to retain the status quo in terms of the site's planning status. The Council's HwLDP trails the production of a Development Framework for this area to be adopted following public consultation as statutory Supplementary Guidance. It would be appropriate that the site's developer requirements include a commitment for that guidance to investigate opportunities to retain, enhance and/or relocate useable public open space within this area. These requirements should also include a commitment to improve road, public transport and active travel connectivity. SEPA's requirement for a flood risk assessment for any redevelopment or intensification proposals is well founded. The Council has drawn up a draft flood prevention scheme for the Dell Burn and the implementation of this may be an essential pre-requisite of any significant redevelopment or intensification. To clarify the status of land east of Inshes Retail Park it is proposed that the Inshes Commerce Centre Boundary is contracted to enclose only the existing retail park. The remaining land at Dell of Inshes should be explicitly allocated for a mix of community, retail (bulky goods only) and non-residential institution uses. This reflects the mixed use allocation of this land as per HwLDP. However, the development of the site should only occur on completion of and/or land safeguards for, improvements to the trunk road and local road networks.

B6 & B7

Both sites benefit from a development allocation within the adopted local plan but were earmarked for employment generating uses. Permission was granted for employment uses on site B6. The Council's aim for this area is to promote business opportunities that will exploit the strategic competitive advantage of close proximity to a trunk road grade separated junction and provide local employment opportunities to a growing but incomplete residential neighbourhood at Milton of Leys. There is an adequate and effective housing supply locally within the surrounding neighbourhoods and across the wider City whilst there is a deficiency in the supply of strategic employment sites close to trunk road junctions with spare capacity. Heritage and drainage constraints can be addressed through suitable developer requirements but should include a safeguard from development on the pond area and a suitable set-back from it. The site closest to the A9 junction (B6) should be retained for business and tourism uses plus investigation of the possibility of a buffered lorry parking / stop facility. B7 should be retained and have its list of acceptable uses broadened to include housing and community. A developer

requirement will be set for a developer-led masterplan to be prepared for the site to address issues including impacts on landscape character, watercourses and woodland.

R7

Land south of the Drakies Police HQ has been safeguarded for its expansion for several years. Police Scotland advise that this land is still required at least as an option for expansion of justice and/or other public services at this location. The land may also be required in connection with the reconfiguration of Inshes roundabout and uses taking access off it. The land presently performs an amenity function and buffer to the distributor road but is not high quality useable public open space. An expanded Police HQ could provide a sound and visual barrier between Drakies houses and the distributor road. There is adequate retail land provision in and adjoining existing centres. Extending Inshes Retail Park across a principal distributor road would not be appropriate. It is therefore appropriate to retain the status quo in terms of the site's planning status.

R8

The safeguarding and development of Inshes Park is a considerable achievement in working with the private developers and the community. However, the lack of a suitable "gateway" entrance on its northern and most public frontage is a drawback which is why this land has been allocated as part of the Park for many years and successfully defended as such against alternative retail proposals at application / appeal. There has been no material change in circumstances since these decisions to justify a different approach. The respondent's claims of consolidating the City and allowing the expansion of the Inshes district centre are spurious given the availability of vacant land within the Inshes centre and in other commerce centres across the City. Matters of inadequate road capacity relate primarily to Inshes Roundabout and its associated junctions. It is accepted that the site access is adequate or can easily be made so. The site should be retained as allocated for community use – i.e. as an entrance to Inshes Park. Land to the north east comprising a wide road verge should be left without allocation on the Plan's mapping. It might most sensibly be left as verge or be considered as part of wider proposals for improved parking, turning or drop off for the primary school.

R10

Support noted. The allocation should be retained.

C11

The safeguarding and development of Inshes Park is a considerable achievement in working with the private developers and the community. However, the lack of a suitable "gateway" entrance on its northern and most public frontage is a drawback which is why this land has been allocated as part of the Park for many years and successfully defended as such against alternative retail proposals at application / appeal. There has been no material change in circumstances since these decisions to justify a different approach. The respondent's claims of consolidating the City and allowing the expansion of the Inshes district centre are spurious given the availability of vacant land within the Inshes centre and in other commerce centres across the City. Concerns about flood risk are not relevant given that no built development is proposed in the areas affected. The allocation should be retained but with a factual correction to the boundary to reflect the park's planning permission extent.

C15

The site is safeguarded for, at present, undefined community uses. Local community groups are consulting on and considering optimum future uses for the site. However, given the lack of a firm, consensus based and financially feasible proposal to date it would be prudent to retain a commitment to undefined community uses but to clarify in the site's developer requirements that proximity to the A9 will limit prospects for, and influence the

siting and design of, any built development.

East Inverness & City Fringe

Major A96 Development Areas

H55

SEPA's concerns about suitable Cairnlaw Burn development set-back will be included as a developer requirement. So too will the need to take account of any direct or setting impact on the scheduled monuments within the site and transport corridor setbacks. Local resident support is noted. The landowner's concerns about defining and progressing optimum access arrangements are noted and will be addressed via a framework Plan for the Ashton Farm area (see response to 'MU27, C13, H57'). Otherwise the allocation should be retained.

H56

SEPA's concerns about suitable Cairnlaw Burn development set-back will be included as a developer requirement. Local resident support is noted. The landowner's concerns about dependency upon others for transport improvements is noted but is a reality given the site's location and need for connectivity to local and strategic road networks. There is no quantitative need to accelerate the supply of housing land within or close to the City. Earlier phased proposals would have to be justified by developer funded transport assessment and not be prejudicial to sensible future transport improvement options. The Council will promote a Framework Plan for the Ashton Farm area to help progress transport and other issues (see response to 'MU27, C13, H57'). Otherwise the allocation should be retained.

H59

Given recent flood events in the Culloden area and its better known pluvial flood risk, a flood risk assessment requirement would be appropriate for this allocation. The site also has built heritage and woodland constraints that justify developer requirements. The landowner's concerns about dependency upon others for transport improvements is noted but is a reality given the site's location and need for connectivity to local and strategic road networks. There is no quantitative need to accelerate the supply of housing land within or close to the City. Earlier phased proposals would have to be justified by developer funded transport assessment and not be prejudicial to sensible future transport improvement options. Otherwise the allocation should be retained.

MU26

This land is already allocated for mixed use development within the recently adopted HwLDP. The landowner's desire to earmark all of its landholding for development is noted but not appropriate given the need to safeguard for potential road connections, provide public open space, and a separation between the Culloden neighbourhoods and the Campus. The allocation should be retained.

MU27, C13, H57

The issue of potential temporary stop sites for travellers is covered under a separate schedule. The Council is supportive of the Prison Service's preference for MU27 and the reasons stated but could not resist other proposals for the site given its allocation for other uses within the HwLDP. Acquisition for prison use would have to be via voluntary agreement but including a non residential institutional use option within a mix of acceptable uses would be appropriate. SEPA's concerns about suitable watercourse development set-back and new / updated flood risk assessment are noted and will be added as developer requirements. So too will the need to take account of any direct or

setting impact on the scheduled monuments close to the site. It is agreed that the loss of prime farmland has already been considered through the site's inclusion within the HwLDP and its process.

In regard to C13, see general issue response on Green Wedges. Ashton Farm is strategically located, central to the eastern part of the City. It is also central to transport and flooding solutions for this part of the City and is earmarked for longer term development within the approved HwLDP.

It is accepted that it would be impracticable to continue to farm an isolated island of land when the rest of the eastern part of the city is developed. All these factors suggest that Ashton Farm should be allocated for medium to longer term mixed use development but on the proviso that this mix includes a district park incorporating allotments and sports pitch provision and encompassing pond and watercourse measures that provide mitigation for flooding issues within the wider catchments of these watercourses. A Framework Plan is required to articulate the local detail of these ideas, other land use arrangements and local transport solutions. However, the Council will require a distributor road connection between the rear of the Inverness Retail Park and Barn Church Road. The Council's resources are not sufficient to fund the pre-emptive acquisition laying out and future maintenance of large swathes of public open space. Instead, successful delivery of district parks and alike requires co-operation between the private sector, the Council and local community bodies that can better access other sources of funding. The sites C13 and H57 should be included within the Ashton Farm Framework Plan area. The Council will investigate with partner agencies and the local community, optimum strategic and local road improvements for this area via preparation the Framework Plan. Accordingly the site MU27 will be retained and expanded to reflect the area covered by this Framework Plan.

MU28

The site benefits from an extant planning permission and an adopted HwLDP allocation. The principal developer requirements from both the permission and the HwLDP will be rolled forward into the Plan text including those relating to flood risk. The issue of potential temporary stop sites for travellers is covered under a separate schedule. Concerns about the need for strategic greenspace provision and loss of prime farmland were addressed during the HwLDP and planning application processes. However, provision for a district park and allotments will be considered in preparing the Framework Plan for Ashton (see also C13 above). Otherwise the allocation should be retained.

MU29

The site benefits from an adopted HwLDP allocation. The principal developer requirements from the HwLDP will be rolled forward into the Plan text including flood risk assessment. So too will the need to take account of any direct or setting impact on the scheduled monument within the site. The issue of potential temporary stop sites for travellers is covered under a separate schedule. Concerns about the need for strategic greenspace provision and loss of prime farmland were addressed during the HwLDP process. However, provision for a district park and allotments will be considered in preparing the Framework Plan for Ashton (see also C13 above). The landowner's concerns about dependency upon others for transport improvements is noted but is a reality given the site's location and need for connectivity to local and strategic road networks. There is no quantitative need to accelerate the supply of housing land within or close to the City. Earlier phased proposals would have to be justified by developer funded transport assessment and not be prejudicial to sensible future transport improvement options. Otherwise the allocation should be retained.

MU30

There is no quantitative housing requirement for an additional housing allocation of this

scale in any part of the City or Plan area as a whole. This site suggestion was from the community but is not supported because better allocated alternatives already exist some of which also benefit from planning permission within the Culloden district. There has also been no landowner backing for the site. Flood risk and farm land issues are noted. All these factors suggest the site should not be retained.

B8

The planning permissions at the Campus provide for a net improvement to existing active travel and public transport connectivity for the Raigmore neighbourhood. Once open, the Campus development will allow Raigmore residents safer (grade separated) active travel access to the Retail and Business Park. The proposed bus bridge between the Campus and the Park offers the prospect of better public transport accessibility and connectivity. The “golden bridge” student footfall will increase the commercial viability and is therefore likely to increase the frequency and diurnal range of the existing bus service within Raigmore Estate. Proposed bus gate provision also offers the prospects of a service connecting through the Estate to the hospital and beyond. The need to improve roads capacity in this area is recognised and the Council will continue to progress a scheme for Inshes Roundabout and liaise with Transport Scotland regarding an “East Link” and/or develop suitable local roads solutions. The rail halt concept is well founded but rail companies are unlikely to support such a facility here because of its effect in increasing journey times for longer commuter journeys which are currently more time and price competitive against car and other travel options. Arguably, improved active travel and urban bus route provision is a more sustainable transport solution for the Campus than rail given its close proximity to the city centre. Additional flood risk assessment requirements are appropriate and are recommended for inclusion. A change to a mixed use designation would more accurately reflect the permissions granted to date and is therefore supported. Acceptable uses should be listed as those that can demonstrate a connection to the purpose of the enterprise area and/or the university. The owner’s request for eastern expansion of the allocation is not supported because the land is allocated as a green buffer to Cradlehall in the recently adopted HwLDP, the land may be severed from the Campus by East Link or another major distributor road and there is more than sufficient development land already allocated within the Beechwood landholding. The land would, most suitably, form sports pitches as part of the sports hub that the Campus is consented to provide. Plan allocation boundaries indicate the Council’s attitude to development and do not always coincide with ownership boundaries

B9

A flood risk assessment is appropriate to this location and its drainage record and will be a policy requirement. The 2012 appeal decision found in favour of the Council’s desire to safeguard this land as a strategic business site and prevent the proliferation of quasi retail uses in an out of centre location that would compete directly with the city centre. Balanced against this, the developer could help deliver significant travel connectivity improvements between the Retail and Business Park and adjoining areas. A compromise solution is appropriate to lever these improvements and yet minimise the loss of business land and potential city centre impact. The site should be reallocated as mixed use but Class 4 business should be stipulated as an essential component of any mixed use proposal. Other commercial uses should be limited to those compatible with a trunk road frontage, office park location – i.e. bulky goods warehouses should be excluded but restaurants, hotels and leisure uses of high architectural design quality that address or at least don’t compromise the frontage should be supported.

B10

The site includes or borders significant watercourses and Culloden is classified as a potentially vulnerable area largely because of its pluvial flood risk. Accordingly, developer requirements for flood risk assessment, naturalisation of watercourses if possible and waterbody development set-back should be included. No change is proposed to the acceptable land uses which are followed through from the HwLDP and IMFLDP MIR.

R6

The site benefits from an allocation for bulky goods retail development within the recently adopted HwLDP. Such uses should not undermine the designated City and district centres. Accordingly, the allocation should be retained.

Culloden Suburbs & Balloch

H50 & H51

SEPA's Cairnlaw Burn watercourse concerns for these Drumossie sites and other issues can be addressed via suitable development set-back and other mitigation. However, because of this constraint and others such as woodland, and the very small scale and low capacity of the potential sites, a within City boundary, non safeguarded notation would be more appropriate than specific allocations.

H52(a) & H53

There is no quantitative need to allocate additional housing land within or close to the City. These sites are located on the fringe of the City of Inverness and are relatively distant from neighbourhood facilities. Both sites would also set an unhelpful precedent of clustered housing development in close proximity to the A9 trunk road and its attendant pollution (air, noise and light) and future improvement set back requirements. Accordingly, the sites should not be retained.

H52(b)

The site benefits from an allocation in the adopted local plan, is an acceptable rounding off the urban edge at this location and should therefore be retained.

H54

The land is a triangular, corner of land that fulfils little agricultural value and is not formal public open space. It contains a desire line footpath but an alternative routing is available on the road frontage. It therefore constitutes a suitable urban infill opportunity subject to suitable access and set back from the adjacent, mature woodland. The allocation should be retained.

H60

There is an application pending for the site and flood risk is being considered as a key issue affecting the site's development potential and layout.

H62

It is noted that the site has planning permission and should be retained.

MU31

There is no quantitative housing requirement for an additional housing allocation of this scale in any part of the City or Plan area as a whole. Better allocated alternatives already exist some of which also benefit from planning permission within the Culloden district. Expressed concerns about loss of landscape character, badger impacts, loss of greenspace, loss of good farmland, coalescence of communities, school capacity pressures, flood risk and scheduled monument impact, all, also suggest the allocation should not be retained albeit many of them can be mitigated as suggested by the developer. The allocation should be excluded excepting a reduced allocation for school playing fields (see C14 recommendation).

B11

The site benefits from an extant planning permission for camping and caravanning including a requirement for site access visibility improvements and therefore should be confirmed.

C14

This land is in private ownership but is well placed for relocation of the Academy's playing fields to an adjacent site that would allow the existing playing fields to accommodate a school building expansion. The allocation's size should be reduced to that required only for playing fields for an expanded high school.

City Fringe Sites

H63 & H64

Expressed concerns about: the sites' distance from and active travel inhibited connection to Balloch's facilities; breaching Balloch's natural and physical boundaries in terms of the railway line and commercial forestry backdrop; worsening of existing surface water drainage problems; incursion into an open countryside area and the precedent it would set for similar development; the limited capacity, gradient and railway bridge pinchpoint of the single track road access, and; proximity to Culloden Battlefield, are all agreed as valid reasons to resist a positive site allocation at this location. Concerns about loss of agricultural land, Balloch Primary School capacity, and the lack of facilities in Balloch are less relevant. There is no quantitative need to allocate additional housing land within or close to the City. Other, better, allocated / permitted and/or serviced housing land is available within the City. The landowners' preparedness to assist with pedestrian access improvements, diversify Balloch's housing mix, provide allotments and contribute to local road widening is welcomed but not sufficient to outweigh the sites' constraints. Very limited infill, rounding-off and redevelopment of brownfield land may be appropriate and would be considered against the Council's housing in the countryside policies.

H65, H67, H70, H71, H72, H73, H74(a,b,c), H75

There is no quantitative need to allocate additional housing land within or close to the City. These sites are located on the fringe of the City of Inverness but are not appropriate as part of any expansion of it given their distance from the existing urban area and its facilities (including public transport connections), the open nature of the intervening countryside, the built heritage importance of the Culloden Battlefield area, the precedent that would be set for further proliferation, the importance of protecting views from the Battlefield and Cawdor Castle tourist route and the lack of local road network capacity. The Culloden Battlefield Centre and the Keppoch Inn lie closeby but are not "lifeline" commercial facilities in a community that would be underpinned by further development closeby. Accordingly, Upper Myrtlefield, Nairnside, Leanach and Sunnyside / Culloden Moor will not be classified as "other settlements" where a more positive policy approach to development would apply. Upper Myrtlefield, Leanach, Sunnyside / Culloden Moor and Nairnside are effectively large housing groups which may have further development potential but this would be judged against the Council's housing in the countryside policies in the HwLDP and related Supplementary Guidance. Site-specific requirements such as flood risk assessment and public sewer connection are therefore not relevant given that the Plan will not contain policy coverage for these types of housing groups. Residents' concerns about likely natural heritage impacts and primary school capacity are over-stated and/or could be mitigated. All sites should not be retained within the Plan.

H68

There is no quantitative need to allocate additional housing land within or close to the City. This site is located on the existing City boundary but breaches into open countryside south

of the B9006. The adjacent site to the west has been granted a planning permission for development but as a largely open ground, tourism development (camping and motorhomes). The landowner's insistence that the development is a low density chalet development is noted but there has been no business case submitted to justify that there is a deficiency for this type of accommodation in this part of the City. Prevention of future conversion of chalets to mainstream housing accommodation is notoriously difficult to condition and enforce. Given the importance of the B9006 in tourist route terms, its capacity issues, and the precedent that would be set for further built development within this countryside area, the site should not be retained and this part of the City SDA boundary drawn tightly around the limits of existing development and extant permissions. This would still allow a properly justified tourism development to be considered but against the HwLDP countryside policies.

H69

There is no quantitative need to allocate additional housing land within or close to the City. Opposition to its allocation is noted. This site is located on the existing City boundary but breaches into land protected under the terms of the adopted local plan. This protection is to safeguard views from the B9006 which are important to this tourist route which links the City with Culloden Battlefield and Cawdor Castle. The B9006 has capacity and pedestrian safety issues and the site's junction with it would require improvement. This land represents part of the upper catchment of the Woodside / Smithton Burn which has had recent and severe flood events. Further housing development would exacerbate this (largely pluvial) flood risk. Natural heritage issues raised by anti development parties are uncertain and perceived threats to exclusivity and property prices non-material. Accordingly, the site should not be retained and the City SDA boundary drawn tightly around the limits of the Heights of Woodside development.

H76

This site will fall to be judged against the criteria-based Other Settlements policy rather than a mapped boundary policy for the City. Daviot will be a listed settlement and has community facilities that could be underpinned by further development closeby. The site-specific allocation should not be retained but development potential may exist provided any specific proposal complies with the criteria within the amended Other Settlements policy. The site complies with the criteria.

H77

This site will fall to be judged against the criteria-based Other Settlements policy rather than a mapped boundary policy for the City. Daviot will be a listed settlement and has community facilities that could be underpinned by further development closeby. That said, the site does have flooding, woodland proximity and active travel to facilities constraints. The site-specific allocation should not be retained but development potential may exist provided any specific proposal complies with the criteria within the amended Other Settlements policy.

H78, H79, H80, H81, H82, H83, H85

There is no quantitative need to allocate additional housing land within or close to the City. These sites lie within a part of Strathnairn which over the last 10 years has accommodated City origin, commuter housing in the countryside pressure. The Council's MIR included this area as part of the City fringe because of this "overspill" pressure and as a means of testing opinions on whether the area should be allocated and take on this role in a formal and properly planned way – i.e. larger housing developments would be supported and infrastructure improvements sought and co-ordinated. At the same time the Council prepared a Balnafaich Housing Capacity Study which has now been approved as non-statutory Council approved planning guidance. Consultation responses have highlighted

flood risk, foul drainage and heritage constraints and a lack of a desire and commitment to create a new or expanded settlement in this area. Accordingly, the sites should not be retained within the Plan. However, Daviot and Inverarnie should be retained as “other settlements” and it will be for applicants to argue a case that their proposals comply with this policy or otherwise with the Council’s housing in the countryside policies in the HwLDP and related Supplementary Guidance. Site-specific requirements such as flood risk assessment and public sewer connection are therefore not relevant given that the Plan will not contain allocations for this area.

MU32

There is no quantitative need to allocate additional housing land within or close to the City. Better allocated alternatives already exist some of which also benefit from planning permission within the Culloden district. This site is located on the existing City boundary but breaches into open countryside north of the B9006. Tourism only proposals may have merit on this land and it is accepted that potential adverse visual impact issues can be addressed by careful siting and design and the presence of a down slope backed by trees. Similarly, flooding and built heritage issues can be assessed and mitigated for. Such proposals can best be judged via existing HwLDP countryside policies rather than a positive, large land allocation for tourism development. The B9006 present capacity and pedestrian connectivity / safety issues may be worsened plus a precedent would be set for further development within this countryside area if a specific allocation was made. Accordingly, the site should not be retained and this part of the City SDA boundary drawn tightly around the limits of existing development and extant permissions.

MU33 & MU35

These sites will fall to be judged against criteria-based rather than mapped boundary policies. These criteria will cover the foul drainage and flood risk issues raised. The site-specific allocations should not be retained.

Temporary Stop Sites For Travellers

The recommendation for sites T1, T2 and T3 is given within a separate topic-specific Schedule on this issue. Only T1 is proposed for retention but as a mixed use allocation which should also list community (leisure and recreation) and business (tourism).

Recommended Proposed Plan Content:

- In summary, the following MIR sites are retained:
H1(d), H7, H10, H15, H18, H19, H22, H23, H24, H25, H27, H28, H29, H31, H32, (H30, H33 & H34 merged as a single site), H38, H39, H41, H42, H43, H44, H47 (expanded and subdivided), H48, H52(b), H54, H58, H59, H60, H61, H62
MU1 (outwith Torvean & Ness-side Development Brief area), MU7, MU10, MU11, MU12, MU14 (contraction), MU15, MU16, MU17, MU18, MU19, MU21, MU22, MU23, MU26, MU27 (expanded to contain H55, H56, H57, B10, C13), MU28, MU29
B4, B5, B6, B11
R1, R3, R5, R6, R9, R10, R11
C4 (split into separate sites west and east of Essich Road), C5 (expanded to include area of H6), C6, C7, C8 (expanded), C9, C10, C11, C12, C14 (contracted), C15
I1, I3, I4

- The following sites are retained but with modified use
*H17 to MU**
*MU13 to C**
*B3 to MU**
*B7 to MU**
*B8 to MU**
*B9 to MU**
*I2 (both sites merged) to MU**
T1 to MU
- The Torvean and Ness-side Development Brief was finalised on 12 August 2013 and will embody the Plan content for land within its boundary. Several MIR allocations are retained, modified or rejected within this boundary. The area covered by the Brief will be represented by a mixed use allocation.
- New sites are recommended for inclusion as follows:
C site at Dunain (Community) Woodland,
B (tourism) site at land south of Drumossie Hotel
H site at Clachnaharry Quarry
- The coverage of safeguarded greenspaces should be updated to include all larger, useable open spaces and amenity areas that the wider public derive an amenity value from and are not appropriate for any form of development.
- Remaining MIR sites and suggested new sites are not retained / recommended for inclusion

Issue	BEAULY
MIR reference:	MIR 7.2
List of persons and organisations who submitted comments (including reference number):	
Ake & Pauline Inghammar (00609), Beaully Community Council (00271), Dr Stephen P Madeleine C Robinson (00616), Fiona Duff (00631), G. Simpson (00661), Hatfield Farms, Farley Estate (00967), Highlands & Islands Green Party (00491), Jane And Steve North (00969), Kilmorack Community Council (00031), Mr Alistair Duff (00877), Mr And Mrs Paul And Helen Ross (00785), Mr And Mrs Reynard (00625), Mr Paul A. Ross (00786), Reynolds Architecture Ltd (00165), Robin Pape (00652), Scottish Environment Protection Agency (00523), Scottish Natural Heritage (00204)	
Summary of comments received:	
GENERAL ISSUES RAISED	
<i>Scale and Phasing of Development</i>	
Concern that demand for housing outstrips availability. Consider the scale of housing needs to be in keeping with the area and economically viable.	
<i>Additional Business Space</i>	
Need for more business premises to be made available within the main cortex of the town	
<i>Species</i>	
Settlement-wide developer requirement for species surveys including reptiles and great crested newts for any sites containing a water body.	
<i>Open Space</i>	
Request of the following areas to be designated as green space: Aird Road playing field; Maple Vale play park; Croyard Drive and Kings Court play park.	
SETTLEMENT DEVELOPMENT AREA	
Settlement development area should be extended to the Toll Junction	
SITES	
<u>B1 – Preferred in MIR</u>	
Representations regarding this site considered it to be an eyesore partly due to the height of stacked containers. The Community Council suggest the site could be allocated for housing to allow it to be cleaned up.	

Flood risk assessment required to support planning application if development is proposed close to the flood plain, all development must avoid the functional flood plain.

B2 – Preferred in MIR

Support for allocating site for business use despite it being outwith the railway line as it would provide land for an expansion of the car park and rail platform. Note that the existing rail car park is over capacity and becoming dangerous.

Request for insertion of text to indicate potential flood risk and possible requirement for flood risk assessment to support any planning application.

C1 – Non-preferred in MIR

Support for the site being allocated for community use, in particular retirement flats with wardens or a day centre for elderly people.

Flood risk assessment required to support any future planning application. Outcome may limit the scale and layout of development on the site. Flood risk assessment may need to consider both fluvial and tidal interaction and avoid development within any areas identified as at risk.

C2 – Preferred in MIR

Objection to preference for allotments as site occupies a prime site in the village. Considers there are more appropriate sites in the periphery of the village, for example along the railway. Site would better suited to amenity housing or day care given its proximity to the village centre.

Support for retaining the site for allotment use.

No flood risk assessment required provided the allocation is only for allotments. Flood risk assessment would be required at planning application stage if any buildings were considered.

H1 – Non-preferred in MIR

Considers site should be allocated in the plan as distance from the village and flooding are not issues.

Support for Council's non-preferred status for H1 as it is too remote.

Any developer requirements text should state development of the site should be supported by a flood risk assessment and if development is close to the watercourse all development will avoid the functional floodplain. Flood risk assessment required in support of planning application unless development does not encroach on the watercourse or include crossings.

H2, H3 and H4 – Preferred in MIR

H2, H4 or in particular H3 could be shared with a developer to build sheltered housing/retirement bungalows with wardens.

Sites should all incorporate some part of ring road system around Beauly with speed reduction system which could link into Priory Way at the south west end of town.

Development of sites may have an adverse effect on the integrity of the Inner Moray Firth Special Protection Area because this area of flat farm land is used for bird feeding, notably geese.

Flood risk assessment required in support of planning application for development on site H2. All development will avoid the functional floodplain. May affect the area available for development options on the site.

For H3 SEPA have requested a review or new flood risk assessment may be required at this site if the layout or development is different from previously agreed. Consideration should be given for blockage at the culvert downstream as it has blocked previously. No development can increase the flood risk to existing properties.

MU1 – Preferred/H5 – Non-preferred in MIR

Objection to MU1 being allocated as mixed use – landowners would prefer it to be wholly or partly allocated for housing. This would allow development to progress from the south part of the loop road which is already built. Mixed use allocation may deter prospective developers and hinder development. Requests that the 'curling pond' field be reallocated as housing with the remainder being mixed use as this would allow good access to the mixed use area from the loop road but with the advantage of direct pedestrian access via Croyard Road to the centre of the village.

If new school is relocated on the MU1 site that includes a sports facility it could have dual use as a Health Centre.

H6 – Non-preferred in MIR

Numerous representations were submitted supporting the Councils non-preference for the site for the following reasons:

- Inappropriate site for development
- Access - capacity of the road network is limited and not to a sufficient standard, limited visibility, steep gradient and winter conditions
- SSE will not be upgrading the road network as part of their development as the C1104 is not included in their plans
- Development may be incompatible with the proposed substation and infrastructure being planned for the same site
- Lack of services including public sewer connection
- Excessive scale and density for a rural situation
- Adverse visual impact due to prominence
- Would not fit with the pattern or character of the area, for example in Ruilick and Dunmore

- Significant distance from Beaulieu village centre particularly for pedestrians
- Distance from public transport links, particularly train station
- Limited public transport availability
- Farmland used for various agricultural purposes
- Inadequate surface drainage due to existing flooding issues
- Trees felled in this area should be replanted
- Concerned about a significant extension from the mains electricity
- Doubt whether the proposed hydro scheme would make any significant contribution
- Concerned about the run off to houses below from a package sewage treatment plant or reed bed system
- Significant light pollution from new houses
- Adverse impact on protected species
- Adverse impact on amenity value of the area for walkers and birdwatchers
- Incompatible with housing in the countryside policy
- H1 more favourable as it has a pavement into the village
- More suitable for affordable housing to be provided on sites at MU1, H2, H3, and H4
- Despite the distance from the village H4 is also preferred over H6 due to the provision of a pavement and regular bus service
- Land between the railway line and the unclassified road that runs between Wellbank and Farley would be preferable as it is unlikely to be affected by flooding issues and still within easy reach of Beaulieu

A single representation sought the allocation of the site for the following reasons:

- Reduced in scale and impact from 30 to 19 units to take account of local concern, and to allow better integration with local landscape through more inter-plot landscaping
- Development will be phased and therefore so will its impact
- Will support school role and other local services
- Additional local road capacity will be provided by the improvements scheduled by SSE as part of line undergrounding in the area
- Gradient of the road cannot be a material consideration given the development approved to date in this area
- Road improvements will offset any traffic impact
- Winter maintenance is not a material planning consideration
- First time public sewerage provision more likely to Ruilick area if this larger development confirmed in the development plan
- Less adverse landscape impact than recent development on the Braes
- Hydro-electric scheme would be a sustainable top-up and not the primary energy source for the development
- Land area sufficient to achieve no net detriment in terms of surface water and soakaway drainage
- Public transport provision more likely with more development and recent development hasn't been refused because of its lack of provision
- Street lighting offered if required but not proposed, planting will offer containment of any house lighting
- Any sound pollution would be limited to construction phase and conditionable;

- Protected species will be surveyed and mitigation undertaken
- No intention to impact on right of way and will work with local interests to establish net betterment through access management plan
- Development will be masterplanned, sustainable and help meet housing demand

ALTERNATIVE SITES AND USES CONSULTATION

Please note that the names and reference numbers for comments submitted on this specific consultation are not listed in this document.

Wellhouse – objects to Council's non-preference for the allocation a 3.9 hectare site for mixed use development of classes 4, 5 and 6 plus close-care housing at Wellhouse. Considers the site should be allocated for the following reasons:

- Ability to meet key development issues identified for Beauly in the MIR
- Provision of significant new investment
- Meet lack of employment land opportunities in Beauly
- If current planning application for the subdivision of 3 units at the former House of Beauly is permitted there would be a further shortage of effective business land in Beauly
- Most viable option to address lack of employment in the settlement

SEPA require the text to be modified to state development of the site may have to be supported by a drainage impact assessment. The outcome could significantly affect the developable area or highlight complex mitigation measures are required to address any issues.

House of Beauly - Notes the House of Beauly has an extensive planning history, including the refusal of planning permission in principle for housing in 2012 and that an application is currently pending for the subdivision of the building. Does not object to the Council's preference to allocation the site for housing, however asserts that the current planning application is for a retail convenience store with two office units. Considers that if the current planning application is successful then tis would negate any benefits of allocating the site for future redevelopment. However if the site does continue to be allocated then it should be allocated for a broader use such as 'mixed use commercial'.

Considers that the redevelopment of former House of Beauly may provide some of needs to address the lack of employment land in the village, however the only way to meet the real lack of employment land is to allocate further land specifically identified to meet the employment land requirement. States that the land at Wellhouse would appear the most viable option for address the lack of employment land.

The Council's Flood Team note a flood risk assessment may be required to support any future planning application. SEPA consider there is no requirement for a flood risk assessment.

OTHER ALTERNATIVE SITES AND USES

The following sites were suggested in representations but were not consulted upon as part of the formal alternative sites and uses consultation. This was due to scale/type of uses of proposed and/or the potential effectiveness of site.

South West of House of Beauly – requests allocation of site to the south west of Beauly for

special needs housing (close care/elderly/affordable) as permitted commercial use of this area is not viable to deliver.

Land at Shinty Club/Bowling Green – requests allocation disused building and tennis court area for use as an indoor sports facility and entertainment/community use.

Council's summary of responses to comments:

GENERAL ISSUES RAISED

Scale and Phasing of Development

It is agreed that there is demand for housing in Beauly and the wider Inverness Housing Market Area; annual housing completion figures in the area reflect this. Through the allocation of a generous supply of housing land in Beauly and the wider Inverness Housing Market Area this will provide adequate land supply to meet demand.

Additional Business Space

Beauly has a vibrant town centre with a very low vacancy rate. It is therefore agreed that there is a need for more business premises to be made available within the main cortex of the town. As there is limited availability of suitable sites within the town centre, additional sites for uses including business have been allocated to the north east of the police station and at Wellhouse.

Species

A requirement for species surveys, including reptiles and great crested newts, will be included in the settlement text for Beauly.

Open Space

The green spaces at Aird Road, Maple Vale and Kings Court are identified in the Council's Greenspace Audit and therefore are now shown as areas of protected greenspace in the Beauly inset map. The omission of these sites being shown as preferred open space in the MIR was a cartographical error.

With regard to the green spaces adjacent to Croyard Drive, these are not included in the Council's Greenspace Audit. However they are considered high quality, accessible and for purpose green spaces and are therefore identified as green space on the Beauly inset map.

SETTLEMENT DEVELOPMENT AREA

The settlement development area is drawn to reflect the built up area of a settlement and any planned expansion areas. Toll Junction lies some distance from the built up area of Beauly and it is therefore not considered appropriate for the settlement development area to be extended at this location.

SITES

B1 – Preferred in MIR

Site B1 is a linear site parallel to the rail line within Beaulieu. It is currently occupied by a number of large storage containers. Planning permission (ref: 04/01108/FULIN) was granted for housing development on the site in the past, however it has since lapsed. Taking into account the views expressed in representations, the planning history and narrow access to the road to the site it is considered the site is suitable for housing. However given the site's existing use as a storage facility and that the landowner has not expressed any desire for the site to be allocated for a different use it is considered it would be most appropriate for the business allocation to be removed on the site and for the site to appear as 'white land' within the Beaulieu settlement development area. This would mean there is a presumption in favour of development on the site subject to detailed matters.

The possible requirement for a flood risk assessment is noted, however given the site is to be presented as white land in the plan this requirement cannot be included. The need for any flood risk assessment will be considered at the stage of any planning application or pre-application advice being sought by the Council.

B2 – Preferred in MIR

Support for the allocation of B2 for business use, including for an extension to the station car park and rail platform is noted. It is understood that the existing rail station car park is frequently over capacity. Therefore to ensure land is safeguarded for an extension to the station car park it is considered it would be more appropriate for the site to be allocated for a mix of uses limited to rail station car park and business use.

The potential for flood risk will be noted in the plan along with the possible requirement for a flood risk assessment.

C1 – Non-preferred in MIR

Site C1 lies to the north east of Beaulieu. Whilst it is noted that there is support for the site being allocated for community use, in particular retirement flats with wardens or a day centre the site is not considered suitable for use for the following reasons: parts of the site are at risk from coastal flooding and the site is close to areas of fluvial flooding; creating a suitable access to the site may affect trees protected by a Tree Preservation Order and the entire site is prime quality agricultural land. The site will therefore not be included in the plan.

C2 – Preferred in MIR

Site C2 is currently occupied by a series of allotments. Scottish Planning Policy requires existing allotment sites to be safeguarded in the development plan. It is therefore considered that the site should continue to be allocated for community use to safeguard the allotments which are valued facilities in the settlement and benefit from their current accessible location close to the town centre. It is therefore not considered that the site should be allocated for housing. With regards to more appropriate sites for allotments along the railway, no specific alternative sites have been identified and any such sites would be further from the town centre.

It is noted that a flood risk assessment would be required at planning application stage if any buildings were considered on the site, however as the site is intended continue to be safeguarded for allotment use this requirement is not relevant.

H1 – Non-preferred in MIR

Site H1 lies some distance from Beaully and is physically detached from it by a number of agricultural fields. Contrary to the representation which considered that distance from the village was not an issue, despite there being a pavement the entire length of the road connecting the Beaully the site lies approximately 800m from the settlement. This is outwith active travel distance to the settlement and there like likely to encourage the use of unsustainable modes of transport. Furthermore allocation of the site is not consistent with the spatial strategy of the plan which is to promote sustainable locations for expansion.

In terms of flooding, whilst the site is not identified as being at risk from coastal or fluvial flooding SEPA have requested that should the site be supported the developer requirements text should state development of the site should be supported by a flood risk assessment and if development is close to the watercourse all development will avoid the functional floodplain. However whilst flood risk issues may not pose a major constraint it is something that would be need to assessed should the site be supported in the plan.

The site will therefore not be included in the plan.

Beaully H2, H3 and H4

Sites H2, H3 and H4 lie to the north of Beaully on the east side Croyard Road. They comprise a large area of flat and open agricultural land. The Council are minded to grant planning permission (ref:08/00430/FULIN) for 37 units on much of the south western part of H3 of the site subject to the conclusion of a section 75 agreement.

It is agreed that the sites should incorporate a loop road that will aid permeability and reduce congestion in the village centre, particularly at Croyard Road. With regards to speed reduction measures the Council's Roads Officer's consider there is a settlement wide requirement for this and it will therefore be included in the Beaully settlement text as a developer requirement.

It is agreed that the housing expansion areas in Beaully would be appropriate for the development of sheltered housing and/or retirement bungalows with wardens as well as mainstream housing. Site H3 lies closest to the town centre and therefore would likely be the most appropriate site. However the north east portion of this site has planning permission for mainstream housing subject to the conclusion of a section 75 agreement. There is therefore unlikely to be the opportunity for the plan to request that this form of specialist housing should be provided in this area. However the western portion of H3 does not have planning permission and therefore sheltered housing/retirement bungalows to be termed accommodation suitable for an aging population can be included as an acceptable use for this site in the plan.

With regards to any impact on the Inner Moray Firth Special Protection Area because this area of flat farm land is used for bird feeding the Habitats Regulation Appraisal found the sites would have a minor residual effect and were therefore screened out alone and in

combination with other aspects of the plan, but require consideration for likely significant effect in-combination with other plans or projects.

With regards to flood risk, the plan will contain a requirement for a flood risk assessment to accompany any future planning application.

Given the inter-relationship of these sites and to facilitate a master planned approach they have been amalgamated into a single site in the plan, with the exclusion of the south eastern corner of site H3 (which is excluded from the planning application boundary) is now allocated for mixed use.

MU1 – Preferred in MIR

Site MU1 was preferred for a number of uses in the Main Issues Report, specifically community, business and housing. It is not considered appropriate for the entire site to be allocated for housing as there is a limited availability of effective business land in Beaulieu. The reason community use was included in the mix of uses was to allow for the option of a new primary school on the site. As part of the Council's Sustainable School Estate Review options are currently being explored for a new or redeveloped Beaulieu Primary School. Options for a new school currently include site MU1 or the existing school playing fields. The options of primary school on site MU1 therefore must be retained. It is therefore considered the allocation of the entire site for community, business and housing should continue in the plan.

With regards to any new school including a sports facility and health centre, this is something that will be considered once a location has been determined for the new or redeveloped primary school.

H6 – Non-preferred in MIR

Site H6 lies approximately 1.8km from the centre of Beaulieu, it is separated from the settlement by a series of agricultural fields. The site comprises woodland, parts of which are identified as long established woodland. The site was non-preferred in the MIR for these reasons as well as its gradient and prominence in the landscape, poor service networks, for example no public sewer and access via a single track road. A number of issues raised by those supporting the Council's non-preference for the site are also relevant.

The representation seeking the allocation of the site in the plan explains that a number of detailed issues raised by the community are capable of being overcome by means of mitigation, for example road access, sewerage provision and landscape impact. Furthermore it is not disputed that an increased population in the area would support local services and help to sustain the school role. Despite this, the principle of any allocation at this location remains wholly inconsistent with the vision and spatial strategy of the plan. The strategy supports the sustainable expansion of existing settlements, in particular those sites that are accessible by means of active travel and public transport. Furthermore the housing land requirement for the Inverness Housing Area has been met on more suitable sites in Beaulieu and the wider housing market area. The only scope for housing development at this location is under HwLDP Policy 35: Housing in the Countryside (Hinterland Areas) which contains a number of exceptions to the presumption

against housing in the countryside, and therefore in certain circumstances allows for limited housing in the countryside.

ALTERNATIVE SITES AND USES CONSULTATION

Please note that the names and reference numbers for comments submitted on this specific consultation are not listed in this document.

Wellhouse – Non-preferred in ‘New Sites’ Consultation

The site at Wellhouse lies to the north east of Beauly, adjacent to site H3. The landowner sought the allocation of the site for business, industry and residential institution uses. At the time of the New Sites Consultation the site was non-preferred due to its distance from the village centre and potential for road side tree loss. Following further consideration of this site, in particular the limited availability of employment land elsewhere in Beauly, desire for a care home and/or day centre in the area and further investigation of the suitability of the existing access the site is now recommended to be included in the plan. The site is allocated in the plan for Business, Residential Institution/Non-Residential Institution uses. It was felt that Class 5 and Class 6 uses would not be suitable at this location as these uses may be incompatible with Residential Institution/Non-Residential Institution uses. The allocation of this site is also predicated on the continuation of the link road linking from Croyard Road, the adjacent housing site and this site to the A862.

House of Beauly – Preferred for Mixed Use in ‘New Sites’ Consultation

Since the publication of the MIR the House of Beauly tourist and retail centre ceased trading. To ensure this site was safeguarded for commercial use, it was preferred for Business/Tourism Use at the time of the New Sites Consultation. A planning application (ref: 13/02240/FUL) is currently pending consideration for the sub-division of the existing building into three commercial units, one of which is intended to be a convenience store. Should the applicant be permitted it is their intention to allocate the other two units for commercial uses including retail, restaurant, business or community uses. All these uses are suitable in principle on the site. On this basis it is agreed that there would be benefit to the mixed use allocation permitting a greater range of uses including retail, tourism, business, community and food and drink. Furthermore it is agreed that given the size of the building and the site it would provide some employment land, however the addition of the site at Wellhouse for Business and Residential Institution/Non-Residential Institution uses would further satisfy this requirement.

It is agreed that given the flooding and drainage issues in Beauly, the possible requirement for a flood risk assessment to support any application will be included in the plan.

OTHER ALTERNATIVE SITES AND USES

The following sites were suggested in representations but were not consulted upon as part of the formal alternative sites and uses consultation. This was due to scale/type of uses of proposed and/or the potential effectiveness of site.

South West of House of Beauly

Land to the south west of the former House of Beauly was originally granted planning

permission (ref:08/00559/OUTIN) for residential and business development in 2008. Some detailed applications for different parts of the site have been permitted for housing use and development has commenced. No application has been received on the part of the site that was intended to be occupied for commercial use with flats above. The landowner has requested that this part of the site is allocated in the plan for special needs housing. Given the progress of this site, its planning history and the relatively small size it is not considered appropriate for this site to be allocated for a specific use. Rather, the site will remain as white land on the Beaulieu inset map and therefore there will be a presumption in favour of development subject to detailed considerations.

Land at Shinty Club/Bowling Green

With regards to any potential allocation in the plan for the disused building and tennis court area close the Shinty Club/Bowling Green for use as an indoor sports facility and entertainment/community use this site lies within an area of white land on the Beaulieu inset map. This means there is a presumption for development subject to detailed considerations. It is therefore not considered there would be sufficient merit in making a specific allocation on this site for these uses.

Recommended Proposed Plan Content:

- The Proposed Plan text and mapping is available within the Committee papers
- In summary, the following MIR sites are retained:

MU1 and C2

- The following MIR sites are retained but the size and/or use of the site has been modified:

H2, H3, H4 (amalgamated), B2

- Remaining MIR sites are not retained / recommended for inclusion
- The following new sites are recommended for retention within the Proposed Plan:

Wellhouse for Business, Residential Institution/Non-Residential Institution uses; House of Beaulieu for Retail, Tourism, Business, Community and Food and Drink; Beaulieu Primary School and Playing Field for Community uses and land north east of Beaulieu Police Station for Retail, Business and Tourism uses.

Issue	NAIRN	
MIR reference:	MIR 7.1	
List of persons and organisations who submitted comments (including reference number):		
<p>Cawdor & West Nairnshire Community Council (00273), Cawdor Farming No.1 Partnership (01264), Cawdor Maintenance Trust (01261), John Gordon And Son (01031), Kylauren Homes (01128), Miss Annie Stewart (00757), Miss Valerie Springett (00904), Mr And Mrs Nicolson (01202), Mr Andrew Gardiner (01231), Mr Brian Stewart (00993), Mr Charles Allenby (01232), Mr David Whittaker (00758), Mr Duncan MacTavish (00263), Mr Graham Vine (01258), Mr John Bain Mackintosh (00091), Mr John Hampson (01119), Mr Robert La Terriere (01250), Mr Ronald Gordon (01194), Mr Scott Macdonald (01248), Mr W Macleod (00912), Mr Will Downie (00242), Mrs C Stafford (00511), Mrs Joan Noble (00879), Nairn River Community Council (00310), Nairn Suburban Community Council (00311), Nairn West Community Council (00365), Sainsbury's Supermarkets (01003), Scotia Homes, Barratt East Scotland And Robertson Homes (01310), Scottish Environment Protection Agency (00523), Scottish Natural Heritage (00204), The Highland Council Housing Service (01308), The Scottish Government (00957), Wm. Morton Gillespie (01010)</p>		
Summary of comments received:		
General		
<p>Population and Housing – Comment sought revision and addition to Key Development Issues was sought in general comment. A reappraisal of population and housing projections was sought in comment with significantly less sites being supported for development in Nairn, seeking a lower growth strategy for Nairn and no allocation of land for development for the next 20 years. Clarification of key issues and identification of prioritisation for development sites in Proposed Plan.</p>		
<p>Development impacts and revision of key development issues - Comment sought the inclusion of an appropriate access strategy to be prepared considering the impact of all development proposals; and a cross settlement developer requirement for waste water infrastructure improvements.</p>		
<p>SNH - sought the inclusion of cross-settlement developer requirement that any development site containing a water body should have a great crested newt survey undertaken.</p>		
<p>Access strategy / transport appraisal - Transport Scotland have indicated that the Council should prepare an appropriate access strategy taking into account the cumulative impact of traffic from the various development opportunities. This should be discussed and agreed with Transport Scotland. Transport Scotland expect that existing junctions will be used to access the proposed sites.</p>		
<p>Settlement boundary - An individual submission was made for the extension of Nairn settlement boundary to include land between MU6 and Househill Drive.</p>		

H1

Some support has been submitted for the allocation of the "non-preferred" site H1 into the Proposed Plan for low density housing. SEPA have requested insertion of text to indicate potential flood risk and requirement for Flood Risk Assessment to support any planning application.

H2

Comment was received seeking the reduction of the site (preferred) to only include those areas of the site which are open and free from trees, also the inclusion of a developer requirement requiring that the site is masterplanned. If tree loss occurs from development then developer requirement should be in place for tree replacement; also requirements for pre-determination species surveys, high standard of compensatory planting and landscape design framework.

Other comment sought the non-allocation of H2 for housing or large scale housing in the Proposed Plan

H3

Comment sought the inclusion of options for some kind of part exchange of this preferred housing site for an area of Sandown in Proposed Plan. Also comment was received seeking the non-allocation of this site for housing or any development and seeks its allocation as public open space.

H6

Comment was received seeking inclusion of developer requirement in Proposed Plan for H6 to provide alternative access link at eastern end for cars on to the A96. The capacity for further development should be conditional on the delivery of access across the railway at the eastern (Balmakeith) end, at least for pedestrians/cycles; and a road link to wherever the future bypass meets the A96.

Other comment seeks the expansion of the boundary for H6 at the wooded area to the east of the site.

SEPA request insertion of text to indicate potential flood risk and requirement for a Flood Risk Assessment to support any planning application.

H7

Comment sought the non-allocation of H7 for housing in the Proposed Plan.

Other comments sought the inclusion of developer requirements for site H7 related to road infrastructure, water courses and separation between development at Kingsteps. Amendment of proposed site boundary to lie on the south side of the burn running along the north side of this site and removal of Lochloy road as an option for vehicle access.

SEPA request insertion of text to indicate potential flood risk and requirement for Flood Risk Assessment to support any planning application.

SNH seek the addition of HRA dependency (individual and cumulative) in terms of potential effects on Moray and Nairn Coast SPA including sedimentation of designated area and recreational pressure. Inclusion of species survey requirement for reptiles.

MU1

Comment sought inclusion of same developer requirements and mitigation as set out in HwLDP was sought by comment and inclusion in the Proposed Plan of text reflecting the minded to grant in principle planning permission for 300 houses subject to conditions and the Section 75 legal agreement.

Other comment inclusion of developer requirements to encourage development proposals to be in keeping with that in existing surrounding area, allocation of MU1 for tourism, recreation and public open/green space with housing as minor/subordinate element. Other sought the non-allocation of site MU1 for housing development.

MU2

MU2 should include the same developer requirements and mitigation as set out in HwLDP.

Other comments sought the inclusion of developer requirements indicating uses to include "parkland, wetland and community facilities and others for inclusion of developer requirements for partial development or subdivision for different uses, including possibility for new cemetery and Farmers Showfield.

MU3

Comments sought inclusion of detailed proposals/framework for town centre and of developer requirements to restrict uses to tourism, retail and business; also inclusion of developer requirement for preparation of integrated masterplan for the whole of Nairn Town Centre.

Other comment sought potential to retain residential use only in buildings where conversion to office/retail is not practical.

MU4 & MU5

Comment sought the inclusion of developer requirements to encourage development proposals to be in keeping with that in existing surrounding area, provision of further railway crossings prior to development progressing and that connection to by-pass be established before development progresses. Further comment received sought the expansion of I1 eastwards, through MU4, as far as Cawdor Road.

The non-allocation of MU4 and MU5 in Proposed Plan for mixed uses was sought although support was given to the allocation of MU4 opposite Firhall for possible cemetery site.

Inclusion of policy support for the delivery of land for sawmills expansion and inclusion of requirements for adjacent site MU4 to provide appropriate noise and nuisance mitigation from future sawmill activities.

Other comments seek following amendments; reconfiguration of I1 to accommodate the pedestrian railway crossing at this point; extend I1 to the east of Cawdor road in a 5.1 hectare site; allocations MU4 and 5 amended to protect the ridgeline from development; phasing of land south of the ridgeline for a later date (when infrastructure and access improvements have been made); link road between Balblair Road and Cawdor Road; landscape bunding (which could also be associated with the pedestrian and cycle bridge

over the railway); retail and commercial/business uses and servicing areas as a transition between the sawmill and storage areas to residential; community uses, open space and car parking as indicated in submission; landscape planting and physical means of enclosure (close boarded fencing/walls) or combination; acknowledgement that the 250 limit is based on improvements required to the railway under-bridge and that this probably requires installing traffic signals and potentially improving pedestrian footways and traffic calming along Balblair road.

Also inclusion of site specific requirements that the delivery of the pedestrian railway bridge should form part of a Section 75 agreement for the whole site on a pro rata basis; delivery of the distributor type link between Balblair Road and Cawdor Road tied into a Section 75 agreement to all developers.

Further comment seeks confirmation of sites development status carried forward from HwLDP.

MU6

Comment sought inclusion of detail about the timing of the provision of the bypass and local road connections and whether these would be a pre-requisite to opening up development land at Househill Mains; also detail about timescale for development in the same way that the HwLDP does in table format for the other site options. Also the developer requirements should identify whether there is a need for a new primary school in the Househill Mains area.

It was indicated that the Plan should set a priority for Nairn South and other HwLDP allocations to be developed ahead of any new allocations such as MU6. Failing this the non retention of site MU6.

R1

Comment was received seeking inclusion of developer requirement to identify need for development and consideration of impact.

Also comment seeking outline retail policy properly defining a network of centres and this is cross referenced to specific site allocations; allocates R1 in Nairn as a commercial centre as part of sequential approach to retail development and acceptable uses; denotes the permitted uses on R1 which includes supermarket, non-food retail and petrol filling station.

C1

Comment sought removal of potential for built development protect as green space in Proposed Plan.

Further inclusion of detail about the timing of the provision of the bypass and local road connections and whether these would be a pre-requisite to opening up development land at Househill Mains was sought in relation to this site.

SEPA request insertion of text to indicate potential flood risk and possible requirement for Flood Risk Assessment to support any planning application.

C2

Some comment sought the allocation of site C2 for community use (without built development)

SEPA request inclusion of text to specify that no building on site or landraising would be supported.

C3

Comment indicated that the Proposed Plan should identify other cemetery options, and inclusion of other sites identified for possible use as new cemetery, specifically MU4 and MU2. Also inclusion of detail about the timing of the provision of the bypass and local road connections and whether these would be a pre-requisite to opening up development land at Househill Mains and justification for extent of site boundary.

I1

Some comment sought the expansion of I1 eastwards as far as Cawdor Road and also reconfiguration of I1 to accommodate the pedestrian railway crossing at this point; and also that the delivery of the pedestrian railway bridge should form part of a Section 75 agreement for the whole site on a pro rata basis; delivery of the distributor type link between Balblair Road and Cawdor Road tied into a Section 75 agreement to all developers.

ALTERNATIVE SITES

Househill – NS4

Objections were received to the potential allocation of land at Househill, comments relate to the absence of identified growth in the HwLDP in this area of the A96 growth corridor and that the identification of this site alongside that of the Main Issues Report MU6 site at Househill would undermine the strategy of development growth in Nairn, and potentially the viability of existing housing allocations. The emphasis for the future expansion of housing development in Nairn should focus on the existing identified housing and mixed use allocations as contained within the HwLDP and also to allow the development of smaller infill sites to accord with the spatial growth strategy for Nairn.

Comment was received from Transport Scotland regarding potential impact of development of this site which lies to the south of the A96(T). Potential impact on the A96/ A939 junction. The impact of the proposed development on this junction should be identified, with any mitigation measures which may be required discussed with Transport Scotland.

Comment was also received in support of the allocation and seen as providing an additional housing opportunity in the Househill area giving due consideration to existing woodland and also to the Househill House Listed Building.

Comment received by SNH highlighted the presence of woodland on the site with the need to consider species survey and protection plan with the associated retention of woodland and need for compensatory tree planting where required.

Modifications sought by those submitting representations:

General

- Inclusion of cross-settlement developer requirement – any development site containing a waterbody should have a great crested newt survey undertaken
- Population growth figures are unreasonably high and growth since 2009 has been well below projected figures; proposed development will overwhelm the town – no basis for a 50% increase in housing in Nairn
- Infrastructure capacity has not been explored
- Lack of employment opportunities thereby high levels of commuting
- Key assets listed in the key development issues section to include the farmer's showfield; Sandown; dune system of East Beach; the three main beaches, the River Nairn and riparian zone, the Moray Firth and clear views and landscapes uninterrupted by development
- Capacity does not exist for envisaged additional primary or secondary education
- Capacity for additional sewage does not exist
- Future development should be planned through 'locality planning'
- Lochloy is badly planned and does little for the community
- Removal of portable at the entrance/exit to the bus station obscure sight lines.
- The road system is already at capacity – an appropriate access strategy taking into account cumulative impact of the various development opportunities should be discussed/agreed with Transport Scotland- bypass is crucial to development in Nairn
- Plan should provide a clear indication of what sites should be a priority to develop

Council's summary of responses to comments:

General

Population and housing

Comment has been received in relation to the scale of development proposed within the plan and questions the need for the scale of housing land supply included; also that there should be a reappraisal of the population and housing projections contained within the document, including reduction of the overall allocation of housing land required for the longer term (20 years). The figures utilised in the Main Issues Report have been the subject of examination through the development of the Highland-wide Local Development Plan. The Council acknowledges that activity in the housing market has slowed, however, there is an ongoing unmet demand for housing to meet the requirements of the population of Highland which continues to increase. The issue of population growth and housing land requirement is covered in more detail in the Schedule 4 statement on population and housing.

Development impacts and revision of key development issues

In regard to the key development issues identified within the Plan these will be developed further within the Proposed Plan as a consequence of the responses received on the MIR and also as a consequence of the ongoing discussion with other key agencies and services, this will include both site specific and cross-settlement requirements. The delivery of development across Nairn will be guided by the necessary delivery of infrastructure and services required to support the growth of the settlement, additionally the Plan will identify indicative site capacities and phasing.

SNH

The need for a settlement wide developer requirement, as specified by SNH, to include

the requirement for a Reptiles survey will be included in the Plan.

Access strategy / transport appraisal

The HwLDP contains relevant policy in relation to wider access to the countryside and developer requirements for allocations include the need to demonstrate access across sites and to the wider green networks and develop strong linkages with existing urban networks.

In relation to the potential impact of development on the trunk road network, The Council is undertaking a Transport Appraisal that will be utilised in identifying necessary mitigation to address any arising transport issues between the local and strategic road networks.

Settlement boundary

A comment sought the inclusion of an extended settlement boundary at Househill to allow potential for further housing development, this is considered in the Alternative Sites Section below.

H1

The site was non-preferred within the Main Issues Report but there has been a level of support for the inclusion of the site for low density housing. The main constraint to developing the site remains to the significant trees loss that would be experienced in practically any scale of development. The existing clearing within the site would be significantly constrained in development terms due to necessary setback from existing trees. An issue has been raised in regard to potential flood risk although this would likely only affect a small percentage of the site a Flood Risk Assessment would be required. The development of the site would also require improvements to the access this would be largely reliant on access improvements that would take place as part of the development of the Sandown lands, with the development of Sandown is likely to move forward in the medium to longer term.

The site as stands may have potential for very small scale development after the Sandown lands have been progressed, but consideration of trees will minimise any potential in this respect.

Therefore it is considered that this site should not be brought forward to the Plan as an allocation.

H2

The site comprises and grounds of the Category B Listed Building, Achareidh House. The site has been identified within the existing Nairnshire Local Plan as having potential for housing, subject to the subservience of development to main buildings, avoidance loss of trees and important open space, whilst also safeguarding established policies of townscape value. These factors should continue to form part of the consideration for development on this site.

In order to develop an acceptable proposal for the site these factors should form part of a masterplanned approach to the development of the site, in addition to the considerations above the principle of development will also need to be supported by a traffic assessment and measures to ensure that the access to the A96(T) can adequately serve the development of the site. Other considerations to this site include the need to consider the

various species that may be present on site.

Given the nature of the site and the various factors to be considered, a masterplan should be prepared by the developer, number of units will be constrained by considerations on site, it would be envisaged that no more than 6 units would be delivered on this site.

Therefore it is considered that the allocation be retained within the Proposed Plan, with a set limit to development and the inclusion of developer requirements setting out the main considerations for limited development on the site.

H3

The site includes land currently allocated for housing development within the current Nairnshire Local Plan, although the extent of the site has been expanded in the Main Issues Report. Comments have been received both in support and against the potential for developing part of the site, in addition an excambion with some of the Sandown land has been suggested in order to retain the site as open space. The option to deliver a new showfield at Sandown has been investigated during the preparation of the Sandown Development Brief but the adequacy of land available for this purpose was not clearly identified as being adequate for the Nairnshire Farmers Society's requirements for a new larger showfield. There is merit in continuing to investigate the potential for an arrangement of this nature.

Comments received to the proposal had generally agreed that a proportion of development would be acceptable subject to a purposeful area of land being retained as open space. This area would have to host a new football pitch and general open space, the provision of which would be a requirement for the developer of the rest of the site.

Traffic issues have also been raised as a concern regarding the development of the land with limited capacity to improve the junction of Lodgehill and Waverley Roads, more broadly there is capacity within the boundary of the site and the wider showfield to make improvements to pedestrian and cycle access.

Therefore the allocation is recommended to be included in the Plan as having development potential for housing subject to the provision of a relocated playing field and landscaping of the remainder of the showfield.

H6

This site has the benefit of an existing allocation for residential development within the existing HwLDP. A significant amount of residential development has already taken place within the wider extent of the site, which includes a reservation for a school site. There is still significant capacity within the site for further development and the site has recently been acquired by a new developer who wishes to review the development potential of the site.

In terms of access issues, developer contributions are being accrued through the existing permissions, from the development at Lochloy with a view to securing delivery of a pedestrian bridge crossing of the railway. The provision of a new vehicular crossing to access the A96(T) has not been identified by the Council nor Transport Scotland. However, issues relating to traffic congestion in the general area of the junction of Lochloy Road and the A96 (T) continue to form part of ongoing dialogue between parties. In the

longer term the delivery of a Nairn bypass (this is still in the design and planning stage) will assist in reducing congestion throughout Nairn.

To improve the access from Lochloy Road the inclusion of site H7 for housing development will give the opportunity to provide an alternative route into the site which will be beneficial in terms of providing better circulation within the site and also emergency access provision.

SEPA's request for the insertion of text to indicate the requirement for Flood Risk Assessment to support any planning application is accepted.

The previous developer (Kylauren) requested the extension of the development site to include land which had previously been cleared of scrub and trees with the intention of this forming an extension to the existing development site. The removal of woodland falls against national and Council policy on the removal of woodland and discussion have been ongoing between the Council and the new site developer (Springfield) with a view to securing compensatory planting for the woodland removal. The Proposed Plan will as a consequence include the disputed area within the site boundary for the site within the proposed plan with developer requirements put in place to reflect the need to provide compensatory planting for the loss of woodland.

Therefore the allocation is recommended to be retained as having development potential for housing and other uses, subject to the inclusion of a requirement for the provision of adequate compensatory planting; further assessment of the adequacy of existing access arrangements and the need for a Flood Risk Assessment to support any planning application.

H7

The site lies to the east of Nairn and is sited to the north-east of the Lochloy housing development. The site was a preferred option within the Main Issues Report and has potential for future expansion to the north east of the existing, ongoing development at Lochloy.

The inclusion of this site would assist in providing better access to the existing Lochloy housing development which currently only has one access/egress point, and provide emergency access if required.

Given the ongoing concerns regarding traffic issues at the Lochloy Road junction and the A96(T) and wider traffic movements this site will need to be supported by a Transport Assessment (TA) to demonstrate that capacity exists to support further development on this area. Improvements would also be required the access road beyond Montgomerie Drive and also at the access to the site off Lochloy Road. There is potential to form an access from the existing Lochloy development. Consideration should be given to where the site is best accessed from; a direct primary access from Lochloy Road with internal connection to Lochloy or the primary access being from the existing Lochloy development, with a secondary access from Lochloy Road. The options for access to the site will need further investigation and to be supported by a transport assessment.

Developers of the site will be required to undertake a Flood Risk Assessment(FRA) given the presence of a watercourse within the site, any crossings on the watercourse within the

site should be by bridge and not culverted. The land available for development will be subject to the outcomes of the FRA and the requirement for suitable setback from the watercourse. SEPA's request for the insertion of text to indicate potential flood risk and requirement for Flood Risk Assessment to support any planning application is accepted.

There will be a need to also include consideration of the impact of the development of the site (both individually and cumulatively) in terms of potential effects on Moray and Nairn Coast SPA including sedimentation of designated area and recreational pressure.

The development of this site will have potential impacts on the existing housing group at Kingsteps and separation should be maintained between any new development and those established at Kingsteps.

Therefore it is considered that potential for residential development should be identified on the site subject to the aforementioned considerations being set out as developer requirements.

MU1

The site at Delnies is already contained within the Highland-wide Local Development Plan(HwLDP) and the Council is minded to approve an application for 300 dwellings on the site subject to the signing of a Section 75 legal agreement. The detailed policy contained within the HwLDP will be contained within the Proposed Plan, the requirements of this policy make clear the need for developers to consider a variety of issues including the need to consider the potential for tourist related and business development. The developer requirements and mitigation as set out in HwLDP will be incorporated within the Plan to reflect the ongoing requirements for the development of the site. The land allocation within the Plan is primarily for the development of housing with the main potential for tourism and business uses existing on lands adjacent.

Therefore it is considered that this site should be included in the Plan in line with the contents of the HwLDP.

MU2

The allocation at Sandown is a site that is contained within the HwLDP, the IMFLDP will carry forward all the developer requirements for this specific allocation. In addition the land now has the benefit of the delivery of the Sandown Development Brief to guide the potential mix of development types to be delivered on the site. The potential mix of uses includes residential (including (live/work units) wetlands, interpretation, café, small scale retail, community and playspace.

In regard to the possibility of a new cemetery and Showfield within Sandown; the potential for locating the showfield is worthy of further investigation and this will be referred to in the Plan and cross-referenced to the existing showfield site. In terms of the cemetery site a single option has been identified within the MIR at site C1, this site has close linkages with the existing cemetery and discussions with the landowner regarding acquiring the site are in progression.

In relation to comment seeking the identification of the option of a further potential site for a new cemetery. This site as indicated above has been the subject of significant consultation and the preparation of a strategic masterplan neither of which has identified

the potential of a cemetery use on the site. The option identified for this purpose in the Main Issues Report, C3 lies close to the existing cemetery and offers a better alternative for a new cemetery site.

Therefore it is considered that this site will remain allocated within the Proposed Plan in line with the HwLDP and statutory Supplementary Guidance in terms of the approved Sandown Development Brief., with the additional consideration that potential to serve the needs of a permanent showfield site should a potential consideration

MU3

The Council has already in place an approved development brief that addresses most issues in relation to mix of uses that will be appropriate for the redevelopment of the town centre and seeks to address most issues to be considered for town centre redevelopment. This document will be utilised alongside all other relevant policy as contained within the HwLDP. The Council will be happy to input to development masterplans that may be prepared by both developers and community led groups.

In regard to the potential mix of uses, residential uses do form part of the intended mix of development aimed at restoring the vibrancy of the town centre. Uses that will increase footfall of shoppers and active use of ground floor space will be supported. Each proposal for development within the town centre area will need to consider a variety of factors when considering the appropriateness of each use, and whether buildings are capable of uses for retail or commercial purposes.

Therefore, the allocation supporting appropriate town centre uses will be maintained in the Proposed Plan along with reference to the existing Town Centre Development Brief and indicating the potential for Council input to further studies to be supported by the Council.

MU4 and MU5

The Nairn South allocations MU4 and MU5 have been safeguarded from piecemeal development in successive development plans and the HwLDP contains allocations for both sites to deliver mixed use (primarily housing) development to the lands at Nairn South. The HwLDP contains a range of requirements that require the consideration of a broad range of issues to be addressed by developers, amongst these is the need for each phase of development to be supported by a masterplan. The Council has prepared a strategic masterplan setting out the primary requirements, across a range of issues, to allow development to progress on the site, developers are required to comply with these in formulating development proposals for the site.

Proposals brought forward will need to demonstrate compliance with the policy and masterplan and demonstrate consideration of appropriate design and layout. Traffic considerations, vehicular, pedestrian and cycle, are all key considerations in progressing the development of the Nairn South lands. The phasing of development within the Strategic Masterplan indicates progression of development from the eastern edge (Cawdor Road) of the MU4 allocation with early transport linkages being provided to the through the site towards Balblair Road. Cawdor Road is considered as the primary route for both vehicular and pedestrian/cycle access for the earliest phases of development, however traffic management improvements are required to facilitate any development on the site. The HwLDP set a limit of development of 250dh prior to the preparation of a masterplan, the masterplan document acknowledges that the initial capacity limit now sits

at 319dh with any further development requiring support of further transport assessment alongside all other requirements.

The delivery of a pedestrian footbridge across the railway, providing access to Nairn Academy will be provided, in the later stages of development of MU 4 when development has progressed to the west of Balblair Road. The use of developer contributions, secured by S75 legal agreement, applied across the site will be required to fund the development of this connection.

Broad phasing at Nairn South of development land has been already considered through the HwLDP taking into consideration the ridge, MU4 incorporates the ridge and the land to the north, whilst MU5 relates to the lower lying land below the ridge. The Strategic Masterplan highlights the most prominent area to the west of Balblair Road as open space and forming open space, footpath connection and integration between phases of development.

There will however be a limit to the level of development that can be served prior to the need for a linkage to the forthcoming A96 (T) bypass. An existing Transport Assessment, supports the development of 319 dh at Nairn South on land between Cawdor and Balblair Road, this has been considered by the Council's roads engineers and has been found to be generally acceptable subject to some amendment and with the requirement for a pause and review to assess the impact of traffic as the development progresses. Any further development will need to demonstrate that existing or improved road capacity can accommodate further development prior to the construction of the A96 (T) bypass. The longer term development of Nairn South will be dependant on the provision of a connection to the A96(T) bypass.

The provision of a connection from the sawmill through MU4 to Cawdor Road has been suggested, it considered that this would not be appropriate the access to the sawmill is established on Balblair Road and the Council consider that the existing and future use of Balblair Road as a common thoroughfare for both sawmill traffic and access/egress fro the town centre should be minimised to assist in mitigating conflict between general road traffic and HGV traffic serving the sawmill activities. The inclusion of an access to Cawdor Road would bring HGV traffic onto Cawdor Road presenting an increased conflict of traffic uses. In addition the presence of a road connection would increase the scope for noise nuisance issues between exiting and proposed new development.

In regard to noise nuisance both the HwLDP and the Strategic Masterplan highlight the importance of this issue to both the proposed development of Nairn South but also to the future expansion of the sawmill and it's activities. The Strategic Masterplan details the noise criteria limits that need to be meet by developers at Nairn South.

In relation to comment seeking the identification of the option of a further potential site for a new cemetery on MU4. This site as indicated above has been the subject of significant consultation and the preparation of a strategic masterplan neither of which has identified the potential of a cemetery use on the site. The option identified for this purpose in the Main Issues Report, C3 lies close to the existing cemetery and offers a better alternative for a new cemetery site.

Therefore it is considered that site MU4 should be included in the Plan in line with the

contents of the HwLDP.

MU5

As MU4 above and;

SEPA have sought the inclusion of text indicating the requirement for a Flood Risk Assessment to be undertaken in support of any planning application on MU5. The eastern edge of MU5 bounding the River Nairn is indicated as being subject to a 1:200 year flood event, therefore a inclusion of a developer requirement in this respect would be appropriate and should be referenced in the Plan.

The longer term development of Nairn South will be dependent on the provision of a connection to the A96(T) bypass. The future potential of further development of later phases of Nairn South of development is governed by the transport links that can be formed to the proposed A96(T) bypass and to the wider road network.

In discussions with Transport Scotland it has been indicated by Transport Scotland that there are no proposals for any local junction connections into Nairn outwith those to the existing A96(T). at this point in time. The longer term development potential at MU5 is largely reliant on the finalised design for the A96 (T) bypass and its potential for development will be clarified through the progression of the design process.

The Council will, however, continue work with Transport Scotland to facilitate the delivery of a connection to the proposed A96(T) bypass.

It is considered that MU5 should be included in the Plan in line with the contents of the HwLDP.

MU6

The site at MU6 would require major road improvements to the access to the site with any development, including that prior to the development of the by-pass, will require a Transport Assessment to support the principle of development in this location. Currently there is no preferred proposed route and consultation on emerging route designs is to be the subject of consultation in late 2013. In this respect the potential for linkages with the site remain unknown. It is considered that the development of this site, at this point, will require significant roads infrastructure improvements in order to progress this site.

In terms of land requirement Nairn has an adequate supply of housing land already allocated through the Highland-wide Local Development Plan to support the strategic growth projected for the A96 development corridor. Of these, Lochloy H6 - has been under construction for several years with a significant proportion of the site still to be developed, Delnies MU1- the Council is minded to approve a development of 300 dwelling units subject to conclusion of a S75 legal agreement, also at Nairn South MU4 the Council is currently considering 2 planning applications for between 250 to 319 dwellings. Therefore a number of existing options to accommodate housing development in Nairn already exist and are either in development or awaiting planning consideration. Each of these sites also have potential to deliver a range of other uses within the land allocated. This site may have potential for development to serve the growing needs of Nairn in the longer term but

this would be beyond the timescale of the Plan.

Therefore it is considered that this site should not be brought forward to the Plan as an allocation.

R1

This site has been the subject of development of a supermarket completed in 2011, the remainder of the site contains potential for the development for further retail (non-food) development. This allocation will continue to reflect this potential and the role the site fulfils.

C1

Concern has been raised by SEPA regarding flood risk on this site, and SEPA consider that the site should remain clear from built development.

The use suggested for this site was for wider community use with wider benefits for the whole community, however, the use of the site for recreational purposes is likely to be tied to the potential for development in the in the general area of Househill. In light of the rejection of site MU6 it is unlikely that this site would require to be developed for formal recreation within the plan period. Future inclusion of the land in subsequent development plan reviews will need to consider issues relating to flood risk.

In regard to the provision of further detail regarding the timing of the provision of the bypass and local roads connections have yet to be confirmed and will be the subject of ongoing consultation by Transport Scotland.

Therefore it is considered that this site should not be brought forward to the Plan as a Community allocation, the area of land to be retained within the Settlement boundary of the Nairn inset and highlighted as open/greenspace .

C2

Concern has been raised by SEPA regarding flood risk on this site, and SEPA consider that the site should remain clear from built development. Further comments were received suggesting that this site should be included as community open space but as in the case of C1 the development of community space would be associated with further built development.

The use suggested for this site was for wider community use with wider benefits for the whole community, however, the use of the site for recreational purposes is likely to be tied to the potential for development in the in the general area of Househill. In light of the rejection of site MU6 it is unlikely that this site would require to be developed for formal recreation within the plan period.

Therefore it is considered that this site need not be brought forward to the Plan and be maintained outwith the Settlement boundary of the Nairn.

C3

In respect of this site comment was received that the Proposed Plan should identify other cemetery options, seeks inclusion of other sites identified for possible use as new cemetery, specifically MU4 and MU2. Both the suggested alternative sites have been the

subject of significant consultation and the preparation of a strategic masterplan neither of which has identified the potential of a cemetery use on the site. The option identified for this purpose in the Main Issues Report, C3 lies close to the existing cemetery and offers a better alternative for a new cemetery site.

Therefore it is considered that this site should be retained within the Plan for development of a new cemetery.

In relation to the extent of the site, the boundary in the Main Issues Report reflected potential options being investigated by the Council taking into account potential constraints to development of the site in relation to presence of an electricity transmission line. However, it is considered that the site proposed by the landowner does present the best option for development and the boundary will be amended to reflect this position.

Therefore it is considered that this site, with boundary amendment, should be retained within the Plan for development of a new cemetery.

I1

Comment was received regarding the sawmill expansion site (I1) suggesting the provision of a connection from the sawmill and expansion of the land allocated for its future growth through MU4 to Cawdor Road has been suggested, it considered that this would not be appropriate the access to the sawmill is established on Balblair Road and the Council consider that the existing and future use of Balblair Road as a common thoroughfare for both sawmill traffic and access/egress fro the town centre should be minimised to assist in mitigating conflict between general road traffic and HGV traffic serving the sawmill activities. The inclusion of an access to Cawdor Road would bring HGV traffic onto Cawdor Road presenting an increased conflict of traffic uses. In addition the presence of a road connection would increase the scope for noise nuisance issues between exiting and proposed new development.

In regard to noise nuisance both the HwLDP and the Nairn South Strategic Masterplan highlight the importance of this issue to both the proposed development of Nairn South but also to the future expansion of the sawmill and it's activities. The Strategic Masterplan details the noise criteria limits that need to be meet by developers at Nairn South.

Therefore it is considered that the boundary should be retained as defined and no change is recommended in respect of the extent of the site boundary.

ALTERNATIVE SITES

Househill – NS4

The identified development potential for this area is for the delivery of small scale infill housing. It is recognised that the area identified contains Category C (S) Listed Buildings at Househill House, and the associated grounds and woodland, however, development potential may exist in part of the wider grounds. Site specific factors relating to the setting of the listed building, woodland and species protection will need to be considered when development proposals are brought forward and the potential for development is likely to be limited as a consequence. The development potential of this site is limited in scale and as such is likely to have very little impact on wider traffic impact or the wider development strategy for the Nairn area.

Given the scale of development it is considered that there is no requirement to specifically allocate this site but rather to include the area within the settlement boundary and consider any development proposal against the general policies of the Development Plan.

Therefore is recommended that the area of land at Househill is included within the settlement boundary, without a specific allocation.

Recommended Proposed Plan Content:

- The Proposed Plan text and mapping is available within the Committee papers
- In summary, the following MIR sites are retained:
H2, H3, H6, H7, MU1, MU2, MU3, MU4, MU5, B1, C3, R1
- All remaining MIR sites are not retained
- The proposed new sites will not be allocated but will now fall within the settlement boundary within the Proposed Plan.

Issue	TORNAGRAIN	
MIR reference:	MIR 7.12	
List of persons and organisations who submitted comments (including reference number):		
Alison Lowe And Michael Hutcheson (00520), Donald Boyd - Collective Response (01351), Highlands & Islands Green Party (00491), Lochardil And Drummond Community Council (00304), Moray Estates (01039), Mr Kevin Sinclair (00684), Mrs C Stafford (00511), Network Rail (00438), Scottish Environment Protection Agency (00523), Scottish Natural Heritage (00204)		
Summary of comments received:		
<p>Support for allocation</p> <ul style="list-style-type: none"> • Support for the development which is considered to be innovative and original • Support for preference for MU1 to be allocated for mixed uses. The landowner/developer remains fully committed to the implementation of Tornagrain. The first phase is now in a detailed design process; agreement has been reached with Scottish Gas to relocate the gas pipeline and necessary permissions are in place to cross the GPSS oil pipeline. Discussions are at an advanced stage with Scottish Water about the delivery of a strategic waste water solution for the centre of the A96 Corridor. <p>Removal of allocation</p> <ul style="list-style-type: none"> • The allocation should be deleted. This is good quality farmland which is a resource that should be preserved. Intensifying residential uses so close to an airport is inappropriate. Development is therefore contrary to Policy 30 Physical Constraints and Policy 31 Pollution of the HwLDP. New settlements divert resources from other areas as all infrastructure is required to be provided anew. • Object to the allocation due to proximity to the airport. Residents will be affected by noise and there will be conflict between needs of residents and the airport. <p>Detail of allocation</p> <ul style="list-style-type: none"> • Lack of clarity regarding allocation. The settlement boundary is drawn around the new town but omits the existing settlement of Tornagrain. Requests that any new settlement should not be allowed to take the name 'Tornagrain'. Scale of development proposed is not consistent with the general policy concerning scale of new settlements in the HwLDP. • The developer requirements included should be as per those included in the Highland-wide Local Development Plan; particularly safeguards for Loch Flemington SPA, Kildrummie SSSI, badgers, red squirrels, great crested newts, retention and enhancement of green networks; • Requirements regarding Dalcross level crossing in the HwLDP should be replicated; • Concern regarding proximity to Croy, would like a much wider barrier between the two communities • Note that MU1 is included within the SDA but B1 (Inverness Airport) is excluded; • Each phase should be supported by a FRA and developed in accordance with any 		

FRA recommendations;

Modifications sought by those submitting representations:

- Non inclusion of site
- Settlement boundary redrawn to include existing settlement at Tornagrain
- Re-naming of settlement
- Developer requirements to include:
 - A Flood Risk Assessment in support of each phase (development to be informed by any FRA recommendations);
 - Requirements of HwLDP to be carried forward

Council's summary of responses to comments:

Support for allocation

The support for the allocation is noted, in particular that positive steps have been taken by the developer to overcome constraints and to further proposals.

Removal of allocation

The allocation has been carried forward from the Highland-wide Local Development Plan which is now adopted having been through the Examination process undertaken by Scottish Government. In addition, planning permission in principle has been granted. The principle of development on the site is now established and there are no new issues to warrant the site being removed from the Inner Moray Firth Local Development Plan. In terms of agricultural land, Scottish Planning Policy states that development on prime agricultural land will not be permitted unless it is an essential component of the settlement strategy. Tornagrain is a fundamental component of the A96 Corridor Growth Strategy that will help to work towards meeting a backlog of housing need and demand.

Detailed of allocation

The need for developer requirements as highlighted by key agencies is acknowledged. A detailed set of requirements are outlined in the HwLDP; these will be carried forward and updated where required in the Proposed Plan.

In terms of proximity to Croy, the detail of the planning application in principle shows the proposed landscape framework between the two settlements which will ensure separation from Croy and indeed integration with the Inverness Airport Business Park which is part of the long term employment land supply for the area.

Recommended Proposed Plan Content:

- The Proposed Plan text and mapping is available within the Committee papers
- In summary, the MIR site MU1 is retained.

Issue	ALNESS	
MIR reference:	MIR 7.18	
List of persons and organisations who submitted comments (including reference number):		
Chisholms Property Development (00893), Diageo (01028), Mr David MacKay (01303), Mr Peter Marshall (00641), Mr Warwick Wilson (01169), Mr William Gill (01072), Scottish Environment Protection Agency (00523), The Scottish Government (00957), William Gray Construction Ltd (01071)		
Summary of comments received:		
GENERAL		
<i>Path Network</i>		
Desire for path connecting Alness and Invergordon		
<i>Trunk Roads</i>		
Requirement for appropriate access strategy taking into account the cumulative impact of the various development opportunities, existing junctions that are expected to be used.		
SETTLEMENT DEVELOPMENT AREA		
Request for expansion of Alness settlement development area to include Dalmore Distillery		
Request for expansion of settlement boundary to east of B1 to include A9 junction that may require upgraded.		
SITES		
<u>B1 – Preferred in MIR</u>		
Achnagarron Burn that forms the eastern boundary of the site may cause risk of flooding. Flood risk assessment will be required in support of planning application		
<u>B2 – Preferred in MIR</u>		
Flood risk assessment required in support of planning application if development is close to the water course and all development will avoid the functional plain.		
<u>B3 – Preferred in MIR</u>		
SEPA request site is not included in the Proposed Plan unless its allocation is supported by a flood risk assessment prior to adoption.		

C1 – Preferred in MIR

Landowner supports site being allocated for community use.

H2 – Preferred in MIR

May be groundwater issues as a result of quarrying, flood risk assessment may be required.

H3 – Preferred in MIR

Achnagarron Burn that partially forms the western boundary of the site may cause risk of flooding. Flood risk assessment will be required in support of planning application.

H6 – Preferred in MIR

May be groundwater issues as a result of quarrying, flood risk assessment may be required.

H7 – Preferred in MIR

Flood risk assessment required in support of planning application, outcome of flood risk assessment may affect the developable area.

Landowners considers site is viable and appropriate for development in the shorter term.

H9 – Non-preferred in MIR

Flood risk assessment required before any possible inclusion in the proposed plan. River processes must be taken into account, and will therefore require significant morphological assessment.

Single representation requesting the allocation of the site for amenity housing for following reasons:

- Improve the character of the area
- Complement approved housing in the area
- Development was permitted on adjacent land despite flooding concerns
- Proximity to town centre and availability of services
- Level access between the site and town amenities
- Creation of safer connections from the town centre
- Proximity to open space, the river and riverside walks
- Any possibility of land contamination would be fully investigated

I1 – Preferred in MIR

Flood risk assessment may be required.

I3 – Preferred in MIR

Flood risk assessment will be required to support any development and outcome may

adversely affect the developable area or development options on the site.

I5 – Preferred in MIR

Flood risk assessment will be required to support any development and outcome may adversely affect the developable area or development options on the site.

I6 – Preferred in MIR

Flood risk assessment will be required in support of planning application if development is close to the watercourse and all development will avoid the functional plain.

MU1 – Preferred in MIR

Potential impact on the setting of Carn Liath, cairn, Obsdale scheduled monument should be considered in the in the delivery of development.

Site should be extended south as far as the A9/Milnafua Junction.

ALTERNATIVE SITES AND USES CONSULTATION

Please note that the names and reference numbers for comments submitted on this specific consultation are not listed in this document.

Teaninich Distillery - Requests allocation of land to east and north east of Teaninich Distillery to allow for a new/expanded distillery and associated industrial operations. Requests for text to be modified to state flood risk may be a constraint on development of the site and that a Flood Risk Assessment may be required to inform the developable areas, layout and design of the site. Transport Scotland have requested the cumulative impact of Teaninich Distillery and Avero Way on the Teaninich Ave/ A9(T) junction should be identified, with any mitigation measures which may be required discussed with Transport Scotland.

Alness Point Business Park – SNH request that if the site is to be allocated it should be screened in as part of the Habitats Regulation Appraisal due to its proximity to the Cromarty Firth Special Protection Area. Requests text is modified to state flood risk may be a constraint on development of the site and that a Flood Risk Assessment may be required to inform the developable areas, layout and design of the site. Transport Scotland have requested the impact of the site on the A9(T)/ Alness Point road (site access) junction should be identified, with any mitigation measures which may be required discussed with Transport Scotland.

Avero Way – request text is modified to state flood risk may be a constraint on development of the site and that a Flood Risk Assessment may be required to inform the developable areas, layout and design of the site. Note that as for all sites in accordance with the Council's Supplementary Guidance, a Construction Environmental Management Plan may be required depending on the scale of development so we would not ask for this as a specific developer requirement for this site. Transport Scotland have requested the cumulative impact of Teaninich Distillery and Avero Way on the Teaninich Ave/ A9(T) junction should be identified, with any mitigation measures which may be required discussed with Transport Scotland.

Dalmore Distillery – SNH request that if the site is to be allocated it should be screened in as part of the Habitats Regulation Appraisal due to its proximity to the Cromarty Firth Special Protection Area. Request for text to be modified to state flood risk may be a constraint on development of the site and that a Flood Risk Assessment may be required to inform the developable areas, layout and design of the site. Transport Scotland have requested the impact of the site on the A9(T)/ B817 junction to be identified, with any mitigation measures which may be required discussed with Transport Scotland.

OTHER ALTERNATIVE SITES AND USES

The following sites were suggested in representations but were not consulted upon as part of the formal alternative sites and uses consultation. This was due to scale/type of uses of proposed and/or the potential effectiveness of site.

Willowbank Park - Requests allocation of land for housing at Willowbank Park, Alness as per extant and partially implemented planning permission.

River Lane - Requests allocation of land for housing at River Lane, Alness as per extant and partially implemented planning permission.

Council's summary of responses to comments:

GENERAL

Path Network

A high quality segregated walking and cycling route was completed in 2012 (following the period of the MIR consultation) that runs the full length between Alness and Invergordon. This request has therefore now been fulfilled and is not required to be considered as part of the plan.

Trunk Road

In parallel with the preparation of the IMFLDP transport and planning officers from the Highland Council and the Highland Regional Transport Partnership HiTrans have been working together on a project known as Transport Infrastructure for Growth (TIG). This work has analysed the likely capacity of the existing transport network and services/infrastructure to accommodate future development, and the likely benefits of proposed transport projects proposed. It also used a combination of transport modelling, as well as the involvement of transport partners from the public and private sector, to identify the likely improvements required to the transport network to support the scale of development in each settlement and the wider growth areas.

As a result of this work, a number of strategic and local transport infrastructure requirements have been identified and are listed against the relevant growth areas and/or settlements and/or sites in the Local Development Plan and the Action Programme. Masterplans and/or planning applications for new development will need to be accompanied by a transport assessment to demonstrate Proposals development sites that may have an impact on the trunk road or local road network will be required to undertake a transport assessment. This will determine any impacts and required mitigation that will be expected to be developer funded.

The modelling found that there was no detrimental impact upon the strategic transport network as a result of the cumulative impact of development in Alness. Impacts on the local road network were also considered and any settlement wide or site specific requirements are listed in the plan.

SETTLEMENT DEVELOPMENT AREA

Dalmore Distillery lies on the south side of A9. The settlement development area closest to this point in the MIR is drawn parallel to the A9 directly north of the distillery. It is not considered logical to include the distillery within the settlement development area given the severance caused by the A9. However, a view has been taken by officers that the development plan should recognise the growing importance and contribution of the whisky industry to the Highland and wider national economy. It is therefore considered that Dalmore Distillery should be identified in the plan as a stand alone industrial allocation to safeguard the site and allow for future intensification/expansion of the site. Responses to issues raised regarding this site during the New Sites Consultation can be found towards the end of this section under the heading 'NEW SITES'.

It is noted that the landowner of sites H3, H4 and B1 recognises that improvements may be required to the junction with the A9 to the east of these sites and for this reason suggests the settlement boundary should be expanded to include this junction. Should junction upgrades be required, the acceptability or otherwise of any improvements are irrelevant in respect of the settlement development area. It is therefore not considered there would be any benefit to the settlement development area being expanded in this instance.

SITES

B1 – Preferred in MIR

This site was requested to be allocated as an equestrian area. Given the nature and relative low intensity of this use it is no longer considered necessary for this site to become an allocation. Rather such a development is supported in principle by the HwLDP. This site will therefore not be allocated in the plan.

Requirements for a flood risk assessment to support a planning application are noted. This will be brought to the attention of an applicant during the pre-application and/or planning application process.

B2 – Preferred/I6 - Non-preferred in MIR

A small part of the western boundary of the site is identified as being at risk from flooding on the SEPA Indicative River and Coastal Flood Map. It is therefore accepted that if development is proposed on the part of the site that is identified as being at risk from flooding on the SEPA Indicative River and Coastal Flood Map a flood risk assessment will be required in support of a planning application.

B3 – Preferred in MIR

A large part of the site is identified as being at risk from flooding on the SEPA Indicative River and Coastal Flood Map. SEPA have requested site is not included in the Proposed Plan unless its allocation is supported by a flood risk assessment prior to adoption. Whilst the Council's Flood Team also have concerns about flooding on the site they consider it would sufficient for the plan to request a flood risk assessment to accompany a planning application.

There is currently a live planning application on the site (ref: 13/02083/PIP). It is likely that the outcome of this planning application will preclude adoption of the plan and therefore it is considered appropriate to continue to allocate the site for business/tourism use subject to a satisfactory flood risk assessment being provided to support any planning application.

C1 – Preferred in MIR

The landowners support for this site being allocated for community use is noted.

H2 – Preferred in MIR

It is noted that there may be groundwater issues as a result of quarrying in the past and that a flood risk assessment may be required for this reason. Text in the proposed plan will indicate that a flood risk assessment may be required.

H3 – Preferred in MIR

The site is not identified as being at risk from flooding on the SEPA Indicative River and Coastal Flood Map. However as per SEPA's comments is it accepted that the site may be at risk of flooding due to the presence of the Achnagarron Burn that forms the eastern boundary of the site. On this basis it is considered reasonable for the proposed plan to require a flood risk assessment to support any planning application.

H6 – Preferred in MIR

It is noted that there may be groundwater issues as a result of quarrying in the past and that a flood risk assessment may be required for this reason. Text in the proposed plan will indicate that a flood risk assessment may be required.

H7 – Preferred in MIR

The site is not identified as being at risk from flooding on the SEPA Indicative River and Coastal Flood Map. However as per SEPA's comments is it accepted that the site may be at risk of flooding. On this basis it is considered reasonable for the proposed plan to require a flood risk assessment to support any planning application.

It is noted that the landowner has indicated the site is appropriate for development in the shorter term.

H9 – Non-preferred in MIR

Site H9 is identified as preferred open space in the MIR and non-preferred for housing development. The site was formally used as a play park, however it is understood that

due to issues with anti-social behaviour in the area all play equipment has now been removed. A number of gravelled areas now remain. Despite this, the site retains some amenity value given its location adjacent to the River Averon and its setting within mature riparian trees. A valued core path also runs adjacent to the River Averon. It is therefore not considered the development of housing on this site would improve the character of the area.

Planning permission (ref: 11/01253/FUL) was granted for four house plots adjoining the site to the west in January 2012, development appears to be underway. Unlike site H9 the permitted housing site lies some distance away from the river and trees which characterise the area of open space and forms a logical expansion to the built up area of the town. It is therefore not considered any development of H9 would complement approved housing in the area.

With regards to flood risk, an eastern section of the adjacent site with planning permission is shown to be at risk from flooding on the SEPA Indicative River and Coastal Flood Map. SEPA originally objected to the application on the grounds of lack of information about flood risk. However further information was provided that showed there was a significant difference in levels between the site and the river channel of over 11m; this information satisfied SEPA's concerns. Without the availability of such information for site H9 flooding concerns remain.

Whilst it is accepted the site is within close proximity of town centre and there are good links with potential for improvement to it this does not preclude major constraints to development of the site, in particular flood risk and its amenity value. It is also accepted that the site has potential to create a pleasant living environment given its proximity to the river and open spaces. Equally this does not outweigh the loss of the valued amenity ground and flood risk issues.

With regards to contaminated land the Council's Contaminated Land Officer's identified the area contains a former scrap yard and disused quarry. This could present a significant constraint to the development of the site as it is likely to require costly land investigations which may find a need for mitigation works. Whilst this alone does not preclude development of the site, there are other more suitable sites in Alness that are intended to be allocated to meet the housing land requirement in the East Ross Housing Market Area.

In light of the above the site will continue to be allocated as protected open space in the plan.

I1 – Preferred in MIR

Site I1 is a large site comprising open space, several lochans and a sand and gravel quarry, some areas of which have been worked out and are naturally regenerating, other parts remain an active quarry. The intention of the Council's preference for industrial use on site is to support the principle of the continued operation of the quarry and its subsequent restoration. However, following further consideration it was determined that there is little benefit of allocation of the entire quarry site as the principle of extraction of the quarry is supported by HwLDP Policy 53: Minerals. The area identified has therefore been reduced to only the processing areas associated with the quarry.

No part of the site is identified as being at risk of flooding in the SEPA Indicative River and Coastal Flood Map, however it is acknowledged that flood risk assessment may be required for certain types of development. Given the reduced area of the site and that development is already present on it, it is not considered necessary to identify any requirement for a flood risk assessment to accompany future planning applications.

I2/I3 – Preferred in MIR

Sites I2 and I3 have been amalgamated in the plan given their inter-relationship. A small part of the site is identified as being at risk from flooding on the SEPA Indicative River and Coastal Flood Map. On this basis it is considered reasonable for the proposed plan to require a flood risk assessment to support any planning application.

I5 – Preferred in MIR

This site has been removed from the plan on the basis that much of it is already developed. Requirements for a flood risk assessment to support a planning application are noted. This will be brought to the attention of an applicant during the pre-application and/or planning application process.

MU1 – Preferred in MIR

The MIR acknowledges the presence of the Carn Liath, cairn, Obsdale scheduled monument that lies adjacent to the southern boundary of MU1. Given the close proximity of the site to this scheduled monument it is considered reasonable for the developer requirements text in the plan to reflect the need to consider this in the delivery of development.

The basis provided for the possible expansion of site MU1 to the A9 is that half the land running from Salvesen Court out to the A9 is already classed for mixed use. The MIR supports MU1 for housing and commercial uses. The land outwith the settlement development area in the MIR between site MU1, Obsdale Road and the A9(T) is an open area of farmland that provides an attractive setting for Alness and provides a wide buffer between the settlement and the trunk road. Furthermore much of the land is prime farm land and a scheduled monument lies adjacent to the existing site boundary. The site is also considered to be of a sufficient size in combination with other preferred sites to meet commercial and housing land requirements in the area. It is therefore not considered appropriate for this allocation to be extended. The area will remain as presented in MIR.

ALTERNATIVE SITES AND USES CONSULTATION

Please note that the names and reference numbers for comments submitted on this specific consultation are not listed in this document.

New Distillery and Expansion at Teaninich Distillery

It was requested that land to the east and north east of Teaninich Distillery was allocated for business and industrial use in the plan.

The land to the east of the distillery lies within the Alness settlement development area in the MIR where there is a presumption in favour of development. However it is not

identified as preferred or non-preferred for any particular use. The site currently comprises an open area of well kept grass.

Since the publication of the MIR the landowner, Diageo, has submitted a Proposal of Application Notice (ref: 12/03611/PAN) for the construction of a new distillery and received advice using the Council's Major Pre Application Advice Service (ref: 12/02841/PREAPP) for the site. The Pre Application Advice Pack provided by the Council was broadly supportive of the erection of a new distillery. Whilst the site is allocated as open space in the Ross and Cromarty East Local Plan, officers were of the view that there were a number of material considerations in this case which would allow the development plan to be set aside. These were the sites location adjacent to an existing industrial estate and distillery; it's potential for economic development and employment creation; and that the open space is not considered to be high quality, accessible or fit for purpose. Flooding was an issue on the site whereby the entire site is shown to be at risk of fluvial flooding on the SEPA Indicative River and Coastal Flood Map. However the applicant has now undertaken a Flood Risk Assessment to the satisfaction of SEPA and the Council's Flood Team. Furthermore the Pre Application Advice Pack explored other issues associated with the site and the Council was broadly satisfied it could be supportive of the erection of a new distillery on it. It is therefore considered that the principle of the allocation of this piece of land for industrial/business use should be supported and shown as an industrial allocation in the Proposed Plan. This will allow the site to be safeguarded for this use in the future.

The site to the north east of the distillery it also lies within the settlement development area in the Alness inset map in the MIR and therefore there is a presumption for development, however it is not identified as preferred or non-preferred for any particular use. It is allocated in the Ross and Cromarty East Local Plan for housing (site reference 5) largely on the basis that it would form a logical housing expansion area adjacent to the existing Teaninich Distillery Cottages. The reason this allocation was not carried forward from the Ross and Cromarty East Local Plan is that following Scottish Government advice the plan only shows areas of major change and therefore as a general rule does not allocate sites with a capacity of less than 10 units.

The site currently comprises an open field of rough grassland. It is understood there was previously a warehouse on the site that has now been demolished. Whilst the site is adjacent to housing it also adjoins land associated with the existing distillery to the west and an industrial estate lies directly north of the site. Given the current, active interest of the applicant for expansion of distillery facilities on the site, and that its surrounding uses are largely industrial it is considered that the principle of the proposed industrial/business use would be appropriate on this site. However given the proximity of the nearby Distillery Cottages the nature and operational hours of industrial uses may need to be limited. This aspect will be explored in more detail with the Council's Environmental Health Officers at the time of a planning application. Whilst the SEPA Indicative River and Coastal Flood Map shows the entire site to be at risk of fluvial flooding, a flood risk assessment was recently undertaken for the wider site to the satisfaction of SEPA and the Council's Flood Team. Nevertheless a flood risk assessment for this specific site may be required to support any future planning application.

It is therefore considered that the principle of the allocation of these pieces of land for industrial/business use should be supported and shown as an industrial allocation in the

Proposed Plan. The plan will require a flood risk assessment to support any planning application.

Averon Way

In allocating the site at Teaninich Distillery business/industrial use it would also seem logical to allocate the partially developed business site that lies directly south at Averon Way. Whilst this site is also identified as at risk from flooding on the SEPA Indicative Coastal and River Flood Map, planning permission (ref: 12/01761/FUL) was granted in December 2012 for the erection of a production facility on the site following the submission of a satisfactory flood risk assessment. Nevertheless it is likely flood risk assessments would be required to support a planning application for the remaining plots on the site and this will be included as a developer requirement in the plan. It is noted that the outcome of a flood risk assessment may affect the layout and design of the site.

Alness Point Business Park

Alness Point Business Park was included within the settlement development area for Alness as it is a strategic business development site identified as such in the Highland-wide Local Development Plan. Furthermore the site provides important employment opportunities for Alness and has connections to the settlement by means of an underpass at the River Averon Bridge. The business park has a number of established businesses operating from the site and Highlands and Islands Enterprise has retained further land within the business park for major commercial and clean, high-technology industrial uses. It is therefore important that the site is identified in the plan as it contributes towards the established business land supply; establishes the principle of business development in the business park and safeguards it from being developed for other uses. It is therefore considered that rather than being identified as 'white land' within the settlement development area it would be beneficial for the site to continue to be within the settlement boundary but also be allocated for specifically for business use in the Proposed Plan.

With regards to any impact on the Cromarty Firth Special Protection Area because the site may result in additional pollution and commercial disturbance the Habitats Regulation Appraisal found the site would have a minor residual effect and was therefore screened out alone and in combination with other aspects of the plan, but requires consideration for likely significant effect in-combination with other plans or projects.

Parts of Alness Point Business Park are identified as being at risk from flooding on the SEPA Indicative Coastal and River Flood Map. It is therefore accepted that a flood risk assessment may be required to inform the developable areas, layout and design of the remaining areas of the site. This will be included as a developer requirement in the plan.

Dalmore Distillery

With regards to any impact on the Cromarty Firth Special Protection Area because the site may result in additional pollution and commercial disturbance the Habitats Regulation Appraisal found the site would have a minor residual effect and was therefore screened out alone and in combination with other aspects of the plan, but requires consideration for likely significant effect in-combination with other plans or projects.

Small areas of the site lie within areas of fluvial and coastal flood risk as identified on the SEPA Indicative Coastal and River Flood Map. As such it is agreed that the plan will include a requirement for a flood risk assessment to accompany any planning application.

New Site Trunk Road Issues

In parallel with the preparation of the IMFLDP transport and planning officers from the Highland Council and the Highland Regional Transport Partnership HiTrans have been working together on a project known as Transport Infrastructure for Growth (TIG). This work has analysed the likely capacity of the existing transport network and services/infrastructure to accommodate future development, and the likely benefits of proposed transport projects proposed. It also used a combination of transport modelling, as well as the involvement of transport partners from the public and private sector, to identify the likely improvements required to the transport network to support the scale of development in each settlement and the wider growth areas.

As a result of this work, a number of strategic and local transport infrastructure requirements have been identified and are listed against the relevant growth areas and/or settlements and/or sites in the Local Development Plan and the Action Programme. Masterplans and/or planning applications for new development will need to be accompanied by a transport assessment to demonstrate that development sites that may have an impact on the trunk road or local road network will be required to undertake a transport assessment. This will determine any impacts and required mitigation that will be expected to be developer funded.

The modelling found that there was no detrimental impact upon the strategic transport network as a result of the cumulative impact of development in Alness. Impacts on the local road network were also considered and any settlement wide or site specific requirements are listed in the plan.

OTHER ALTERNATIVE SITES AND USES

The following sites were suggested in representations but were not consulted upon as part of the formal alternative sites and uses consultation. This was due to scale/type of uses of proposed and/or the potential effectiveness of site.

Willowbank Park

Detailed planning permission (ref: 04/00223/FULRC) was granted in 2004 for the erection of 21 houses on Willowbank Park. It appears a limited number of these houses have currently been built out. The Alness inset map in the MIR shows it as white land within the settlement development area and therefore is not preferred or non-preferred for any particular use. Whilst there would therefore be a presumption for development on the site and as the site has been started the planning permission is now finite it is felt it would still be worthwhile allocating the site in the plan. This is to allow the reader a clear view of housing allocations in the settlement as a whole and to allow the site to contribute towards the established housing land supply in the Council's housing land audit rather than being considered as windfall. The site will therefore be included in the plan.

River Lane

Detailed planning permission (ref: 08/00333/FULRC) was granted in 2008 for the erection of 18 flats at River Lane, Alness. At the time of writing this development is under construction. The Alness inset map in the MIR shows it as white land within the settlement development area and therefore is not preferred or non-preferred for any particular use. Whilst there would therefore be a presumption for development on the site and as the site has been started the planning permission is now finite it is felt it would still be worthwhile allocating the site in the plan. This is to allow the reader a clear view of housing allocations in the settlement as a whole and to allow the site to contribute towards the established housing land supply in the Council's housing land audit rather than being considered as windfall. The site will therefore be included in the plan.

Recommended Proposed Plan Content:

- The Proposed Plan text and mapping is available within the Committee papers
- In summary, the following MIR sites are retained:
H1, H2, H3, H4, H5, H6, H7
- The following MIR sites are retained but the size and/or use of the site has been modified:
R1, MU1, I1, I2, I3 (I2 and I3 have been amalgamated) I4, B2 and B3
- Remaining MIR sites are not retained / recommended for inclusion
- The following new sites are recommended for retention within the Proposed Plan:
Willowbank Park for housing; River Lane for housing, Land east and north east of Teaninich Distillery for industrial use, Averon Way for business use, Dalmore Distillery for industrial use, Alness Point Business Park for business use
- Remaining MIR site references are not retained

Issue	Dingwall	
MIR reference:	7.25	
List of persons and organisations who submitted comments (including reference number):		
Deveron Homes Ltd (01247), Dingwall Auction Mart Limited (01068), M N H McCallum (01078), Mr John Leitch (00610), Mr Kevin Sinclair (00684), Mr Robin Gardner (01214), Network Rail (00438), Redco Milne Ltd (01251), Scottish Environment Protection Agency (00523), Scottish Natural Heritage (00204), William Gray Construction Ltd (01071)		
Summary of comments received:		
<p>General</p> <p>Network Rail currently in discussions with the Council regarding Kinnairdie link road and its impact upon the three automatic open level crossings at Dingwall. Network Rail propose to close Dingwall 1 and 2 and upgrade Dingwall middle to a full barrier solution with obstacle detection.</p> <p>Respondent supports safeguarding the extent of Dingwall town centre boundary as indicated in RACE and in the IMF MIR, as an area which can continue to create and attract investment to the area, whilst reinforcing the role of the town centre in the context of the settlement.</p> <p>Sites</p> <p><u>B1</u></p> <p>Concern over flood risk and it is unlikely that an FRA could demonstrate that the western half of the site is developable. The site should be limited to the existing business park.</p> <p>Respondent does not support expansion of Dingwall Business Park westwards shown in B1 but supports the identification of additional business land.</p> <p><u>B2</u></p> <p>Concern over flood risk and suggests that the site should not be allocated, or boundary modified to a very small area outwith floodplain. Flood Risk Assessment required prior to inclusion in the Proposed Plan.</p> <p>Accepted part of the site is shown to be at risk from fluvial flooding on the SEPA flood map, however not aware of any past flooding events;</p> <p>Kinnairdie Link Road drawings indicate flood risk areas on site will be reduced following completion of the road.</p> <p>Potential exists for further flood prevention measures adjacent to the River Peffery.</p> <p>Considers that this site is accessible to pedestrians and vehicles, in close proximity to other business/industrial sites in Dingwall, close to Kinnairdie Link Road, could be developed at a lower costs than other business sites in Dingwall</p>		

Site has been allocated for light and general industrial purposes in previous Local Plans for over 20 years

Considers that the area under the high voltage power line which crosses the site could be used for open storage yards, access roads, parking, landscaping, SUDS etc.

Trunk water mains safeguarding area is limited.

Planning permission has been granted in the past on this parts of the site;

H1

Careful consideration of flood risk and drainage in consultation with Council who have detailed information on culvert issues. Flood Risk Assessment required

H2

No flood risk assessment required.

H3

Concern over flood risk and suggests that the site should not be allocated, or boundary modified to a very small area outwith floodplain. Flood Risk Assessment required prior to inclusion in the Proposed Plan.

H3 is not suitable for housing.

H4

No comments received.

MU1

Concern over flood risk and suggests that the site should not be allocated, or boundary modified to a very small area outwith floodplain.

Supportive of site allocation proposed for MU1.

MU2

Development should be carried out in line with the previous FRA recommendations and that should be made clear in the plan.

MU3

Concerns regarding possible adverse impact upon long established plantation origin woodland that is present within site.

No Flood Risk Assessment required

The conditions on planning permissions in Dingwall North have stifled development

Delay in delivery of Kinnairdie Link Road will affect this site.

Developer contributions for infrastructure needs to be sought in line with Circular 1/2010

tests

Alternative access improvements by allowing careful and well designed phased development if delays continue with Kinnairdie Link Road

MU4

No Comments Received

MU5

No Flood Risk Assessment required.

Development would have to be set back from the watercourses.

Drainage is a key consideration.

MU6

Comments that site should be HRA checked due to proximity to Cromarty Firth SPA.

Concerns regarding flood risk and it is suggested that the site is removed unless its allocation is supported by a FRA prior to adoption due to uncertainty over flood defence capabilities of railway embankments, structures, fluvial/tidal interaction. Some of site is brownfield and may be suitable for development provided no increase in vulnerability but mitigation measures may be difficult to achieve.

Craig Road should not be used for anything other than residential purposes and believe there to be more suitable sites in Dingwall such as the Highland Council Depot for industrial uses.

Supportive of site allocation proposed for MU6

MU7

Removal of site unless its allocation is supported by a FRA prior to adoption.

Part of the site has an extant retail planning permission and development brief.

Suitable mitigation measures can be introduced to address constraints of its site and wider allocation.

MU8

Removal unless FRA or other information (topo levels) provided in support of the site being included, prior to adoption.

Allocation removes the ability for increasing the amount of goods to be transported by rail.

Supportive of site allocation proposed for MU8

ALTERNATIVE SITES AND USES

Please note that the names and reference numbers for comments submitted on this specific consultation are not listed in this document.

Through the consultation on the Main Issues Report further sites have been submitted to the Council for inclusion in the Local Development Plan. Consultation on these additional sites took place between April and July 2013. The following are the comments which were received during that time.

Site NS15 - Land south east of Craig Road

The site requires consideration as part of the HRA of the plan if it is preferred due to the potential connectivity with the Cromarty Firth SPA.

SEPA object unless an FRA is provided prior to inclusion in the Proposed Plan.

Wetlands may be present on the site and therefore a phase 1 habitat survey would be required.

Site NS20 - Land East of MIR Site MU5

The site requires consideration as part of the HRA of the plan if it is preferred due to the potential connectivity with the Cromarty Firth SPA.

Council's summary of responses to comments:

General

Level Crossings

The Highland Council continue their dialogue regarding the closure/upgrade of level crossings in Dingwall. While it is not considered that this will have a significant impact on the potential for future development it will affect the travel patterns for existing residents of Dingwall. The Highland Council do not consider that the closure of 2 crossings are feasible.

Sites

B1

Flood Risk

The current business park is protected from flooding by a purpose built reinforced bund with pumps which control the level of water. This type of approach would no longer be considered to accord with planning policy with regard to flooding in relation to development of greenfield sites. As this is the case and it is unlikely that a flood risk assessment could adequately demonstrate no net detriment to the current or projected flood risk to this site or development up/downstream then it is proposed that this site is not allocated as it would be contrary to Scottish Planning Policy.

Given the above it is proposed that the site is not allocated in the proposed plan.

B2

Flood Risk

While the site has been allocated for a number of years and planning permission has been granted on this site in the past, it is only in recent times more detailed information has come forward with regard to flood risk and planning policy with regard to flooding has also changed during this time.

Through the flood risk assessment carried out for the development of the Kinnairdie link

Road the risk of flooding on this site has been confirmed. As this is the case then it would be contrary to Scottish Planning Policy to allocate land for development which is subject to flooding. It is accepted however that elements of this site outwith the flood risk area could be developed. It is therefore proposed that the area outwith the flood risk area is allocated for business development.

Proximity to infrastructure and complimentary uses

It is accepted that this site in terms of infrastructure capacity and proximity to infrastructure is an attractive site for development. The active travel linkages to both the town centre and the complimentary uses are to this sites advantage. For any development on this site it will be important to ensure that these connections are protected and enhanced.

Constraints

It is accepted that through design and siting of appropriate uses development in proximity of high voltage overhead powerlines can be achieved. Development would be expected to follow the principles of National Grid Guidance – Sense of Place.

It is accepted that the trunk water mains safeguarding area is limited and it is not considered to affect the development of the site.

Considering the above, it is proposed that only the lower part of the site (next to the A834) is allocated for business use recognising the flood risk issues on the site an FRA will be required to demonstrate the developable areas.

H1

The site is outwith the 1 in 200 year indicative flood risk area. However it is accepted that flood risk and drainage will be an important consideration in the development of this site. If this site were to be allocated in the proposed plan then a drainage impact assessment and flood risk assessment would be required.

While there is development potential on this site, development would not be possible until a suitable access solution is brought forward. Recognising this as an issue it is proposed that the site is not allocated in the plan but retained in the settlement development area, allowing development to be brought forward if a suitable access solution could be found. This approach would mean that any proposal would be considered against the provisions of the Highland-wide Local Development Plan.

H2

Limited comments have been made on the inclusion of this site in the plan.

However, due to the low level of development potential on the site due to slope, it is proposed that the site is not allocated in the plan but retained in the Settlement Development Area where any proposal would be considered against the provisions of the Highland-wide Local Development Plan.

H3

Through the flood risk assessment carried out for the development of the Kinnairdie link Road the risk of flooding on this site has been confirmed. As this is the case then it would be contrary to Scottish Planning Policy to allocate land for development which is subject to

flooding. It is accepted however that elements of this site outwith the flood risk area could be developed.

However, given the location of the site and the surrounding uses it is not considered that housing is appropriate in this location and therefore it should not be allocated for housing in the proposed plan.

H4

Limited comments have been received on this site.

Through further consideration of this site it is considered that due to the slope and proximity of a large water main, this site is not deliverable. As such it is proposed that the site is not allocated in the proposed plan.

MU1

Through the flood risk assessment carried out for the development of the Kinnairdie link Road the risk of flooding on this site has been confirmed. As this is the case then it would be contrary to Scottish Planning Policy to allocate land for development which is subject to flooding. It is accepted however that elements of this site outwith the flood risk area could be developed.

Considering the above, it is proposed that the site continues to be allocated but for housing only and recognising the flood risk issues on the site a FRA will be required to demonstrate the developable areas.

MU2

This site already has planning permission (subject to conclusion of the S75 agreement) for 121 services house plots through one consent. The build out of this development is dependant on the phasing of the Kinnairdie Link Road. Conditions attached to the minded to grant consent relate to flood risk, however as this is yet to be developed it is considered appropriate to include reference in the text to the need to carry out development inline with the agreed recommendations of the previous FRA recommendations.

The proposed plan should reflect the existing minded to grant planning permission and set out the notable conditions which are proposed.

MU3

This site is covered by a number of minded to grant planning permissions and some full planning permissions. The pending applications contain a number of conditions and these address the concerns raised related to impact on established woodland. Approved development on the site is outwith the area of long established woodland and the details of Phase 4 have been approved as indicative only pending further consideration of the impact on the woodland.

With regard to access, The Council have taken a consistent approach to the level of development which can proceed prior to completion of the Kinnairdie Link Road. With regard to this site this limits development to Phase 1 (22 affordable units and 7 services plots). If a re-run of the traffic model can adequately demonstrate that alternative off-site solutions can be used to mitigate the cumulative impact of development in this area on the local road network then these alternatives can be brought forward to facilitate

development.

The proposed plan should reflect the existing minded to grant planning permissions and set out the notable conditions which are proposed.

MU4

No Comments Received.

The proposed plan should reflect the existing planning permissions and set out the notable conditions which are proposed.

MU5

This site already has planning permission and development has commenced for the formation of 48 serviced house plots. In the approved layout development has been set back from the watercourse and conditions have been attached related to drainage (including SuDS).

The proposed plan should reflect the existing planning permissions and set out the notable conditions which are proposed.

MU6

The Dingwall Riverside Development Brief covers this site and provides options for the development on it taking into consideration the constrains and opportunities presented. The brief also reflects the extant planning permissions across the site.

Ongoing work on the Habitats Regulations Appraisal of the plan has identified mitigation which would ensure development will not have an impact on the Cromarty Firth SPA.

The risk of flooding in parts of the site are acknowledged. Further to discussion with The Highland Council's Flood Risk Management Team it has been concluded that following a flood risk assessment it is envisaged that development can proceed on the brownfield areas of the site subject to mitigation being put in place. The comments related to the capability of the brownfield areas of the site being able to be redeveloped subject to no increase in vulnerability will be referenced in the plan however to ensure a comprehensive approach to flood risk a flood risk assessment will be required.

The concerns relating to non-residential traffic on Craig Road are noted and this may be resolved subject to discussions with Network Rail over the closure of level crossings in Dingwall. Depending on the scale of development brought forward on this site it may be possible to secure traffic management plans which ensure non-residential traffic uses the A862.

It is proposed that this site will be included in the proposed plan for a mix of uses in line with those identified in the Dingwall Riverside Development Brief which will be revisited and adopted as Supplementary Guidance.

MU7

The Dingwall Riverside Development Brief covers this site and provides options for the development on it taking into consideration the constrains and opportunities presented. The brief also reflects the extant planning permissions across the site.

The risk of flooding in parts of the site are acknowledged. Further to discussion with The Highland Council's Flood Risk Management Team it has been concluded that following a flood risk assessment it is envisaged that development can proceed on the brownfield areas of the site subject to mitigation being put in place. The comments related to the capability of the brownfield areas of the site being able to be redeveloped subject to no increase in vulnerability will be referenced in the plan however to ensure a comprehensive approach to flood risk a flood risk assessment will be required.

It is proposed that this site will be included in the proposed plan for a mix of uses in line with those identified in the Dingwall Riverside Development Brief which will be revisited and adopted as Supplementary Guidance.

MU8

The risk of flooding in parts of the site are acknowledged due to the low lying nature of the site. Further to discussion with The Highland Council's Flood Risk Management Team it has been concluded that a flood risk assessment will be required to demonstrate topographic levels.

While the allocation will mean that there are no opportunities for the development of a freight terminal at this site, there are other opportunities available in the surrounding area, which have better connections to the road network for onward journeys of freight.

It is proposed that the site will be allocated in the proposed plan for a mix of uses to include the potential for a limited amount of housing and a hotel.

Alternative Sites and Uses

Site NS15 - Land south east of Craig Road

If this site is to be included in the plan then the HRA of the plan would consider the potential affects on the Cromarty Firth SPA and the wetlands on the site.

Flood risk is the determining factor as to inclusion of this site. Given the significant risk of flooding on the site and the need for a FRA prior to inclusion in the plan it is considered that inclusion of the site without this information would be contrary to Scottish Planning Policy. While other sites in Dingwall which are at risk of flooding have been identified the risk of flooding does not affect all of those sites or they involve an element of brownfield redevelopment which this site would not.

Site NS20 - Land East of MIR Site MU5

If this site is to be included in the plan then the HRA of the plan would consider the potential affects on the Cromarty Firth SPA.

It is considered that East End Wood provides a natural settlement boundary and at this time further housing land is not required in Dingwall above the sites which have planning permission.

Recommended Proposed Plan Content:

- In summary, the following MIR sites are retained:
MU6, MU7, MU8
- The following sites are retained but with modified use/boundary
MU1, MU2, MU3, MU5, MU5, B2
- Remaining MIR sites and suggested new sites are not retained / recommended for inclusion

General

The proposed plan should include:

- reference to office rationalisation;
- the route of the Kinnairdie Link Road (with text references to phasing);
- the route of the Dingwall North distributor road.
- Reference to the Dingwall Developer Contributions Protocol; and
- Reference to the Dingwall Riverside Development Brief.

Issue	Fortrose/Rosemarkie	
MIR reference:	MIR (insert para. or section number)	
List of persons and organisations who submitted comments:		
<p>A And F Reid (00863), A Hossack (00817), A.L. Warbrick (01087), Alexander G. Doull (00812), Anonymous 1 (01333), Anonymous 11 (01343), Anonymous 4 (01336), Anonymous 5 (01337), Anonymous 6 (01338), Anonymous 7 (01339), Anonymous 8 (01340), Bill Taylor Associates (00889), C. Zentler-Munro (00792), C.D. Heath (00794), Cpt Arthur And Brenda Kerr (00958), D.G. Hart (00864), Dr And Mrs RL Nelson (01290), Dr Chris And Jane Jones (00998), Dr Ian R Basham (01296), Dr June Bevan-Baker (01291), Dr Jurgen Diethel (00997), Dr P. Zentler-Munro (00791), Dr Richard Cherry (00941), Dr T.V. Heath (00873), Erlend Tait (01139), F. H. Jeffery (01099), Fortrose And Rosemarkie Community Council (00286), Gib Weir (01049), H D Robson (01112), H. Murray (00788), Highlands & Islands Green Party (00491), J And J Johnston (01114), J.D Hearmon (01293), Jay Miller (00845), JC And DE Ferguson (00870), Jill J Anderson (00587), K. Whitton (00800), Lois MacDonell (00886), M.C. Hughes (00798), M.G. Phillips (00806), Miss A Rayner (00756), Miss Barbara Bremner (00848), Miss Bridget Gerstner (00849), Miss Carol Diethel (00726), Miss Clare Philips (00713), Miss Denise Mudge (00844), Miss Eleanor Smith (00851), Miss Elizabeth Marshall (00784), Miss Elizabeth Moran (00871), Miss Freda Bassindale (00843), Miss Gail Paterson (00833), Miss Helen Duncan (00834), Miss Isobel Harrison (00816), Miss Jane Bennett (00803), Miss Janet Syer (00884), Miss Jean MacArthur (00818), Miss Jennifer Macleod (00847), Miss Jennifer Middleton (00808), Miss Joan Reid (00828), Miss Julie Gamble (00835), Miss Julie Scott (00821), Miss Katherine Drought (00795), Miss Margaret Boyd (00797), Miss Margaret Middleton (00810), Miss Mary Maciver (00883), Miss Mary Mackenzie (00779), Miss Maureen Fraser (00850), Miss Megan Stubbs (00846), Miss Michelle Duncan (00820), Miss Pat Kemsley (00702), Miss Patricia Alexander (00826), Miss Sari Paavola (00716), Miss Sheena Munro (00891), Miss Victoria Murray (00778), Mr & Mrs Robbie & Gillian Kerr (00689), Mr Adam Manson (00725), Mr Alan Duncan (00823), Mr Alan Smith (01037), Mr Alec Main (00838), Mr Alistair Brown (00796), Mr Alistair Tait (01289), Mr Allan Pearks (00687), Mr Allister Ellison (00714), Mr And Mrs M Brown (01110), Mr And Mrs M. Brown (00728), Mr And Mrs Wylie (01067), Mr Andrew Hince (00995), Mr Brian Elias (00970), Mr Brian Jones (01117), Mr Calum Anton (00906), Mr Clive Simpson (00720), Mr Craig Meredith (00762), Mr David Bryee (00815), Mr David Guthrie (01199), Mr David Pocock (00708), Mr David Robinson (01279), Mr DJ Smith (00855), Mr Donald Fraser (00002), Mr Donald John Morrison (00926), Mr Donald Macfarlane (00723), Mr Douglas Barker (01359), Mr Douglas Willis (01116), Mr Eric Jones (00804), Mr Ewan Henderson (00645), Mr Franco Plagliabi (00836), Mr Fraser Hutcheson (00986), Mr G. Munro (00951), Mr Gavin Fraser (00825), Mr Gavin Heath (01286), Mr Gilbert Duncan (00814), Mr Gordon Grant (00981), Mr Graeme Grant (01048), Mr Graeme Harrison (00862), Mr Graham Maciver (01089), Mr James Grant (00920), Mr James Sinclair (00868), Mr John Brankin (01165), Mr John Carruthers (00690), Mr John Chisholm (00721), Mr John Eastwood (00832), Mr John Fair (00876), Mr John Keast (00705), Mr John Lewis (00827), Mr John MacArthur (00819), Mr John Mackenzie (01184), Mr John McNicol (01111), Mr Keith W.J. Young (00839), Mr Kevin Keith (01292), Mr Mark Watson (00929), Mr Martin Philip (00760), Mr Mike Eriksen (01226), Mr Mike Marshall (00680), Mr</p>		

Mike Strickland (01175), Mr Murdo And Amanda Mackay (00852), Mr Neil Forrester (00711), Mr Peter J McLoughlin (00783), Mr Richard Robinson (00914), Mr Richard Wilson (00923), Mr Robert And Christine Downing (00787), Mr Robert Cameron (00840), Mr Robert Davidson (00842), Mr Robert Morrison (00927), Mr Ron Thom (00830), Mr Ronald Gatt (00717), Mr Ross Macfarlane (00727), Mr Stephen Smith (00807), Mr Steve Artis (01191), Mr Stuart Edmond (00647), Mr Thomas Clement (00829), Mr Tom Forbes (01127), Mr Tom Lloyd (00771), Mr W.Douglas Miller (00765), Mr William Brown (01162), Mr William Gordon (00866), Mr William Lindsay (00874), Mr William Martin (00857), Mr William Paterson (00719), Mrs A Jack (00712), Mrs A Lewis (00824), Mrs Alison Thom (00831), Mrs Angela White (01284), Mrs Ann Forbes (01129), Mrs Anne MacEachern (00770), Mrs B MacDonald (01104), Mrs Barbara Manson (01098), Mrs Benita Miller (00766), Mrs Brenda Martin (00858), Mrs Caroline Fair (00875), Mrs Doreen Doull (00813), Mrs Dorothy MacDonald (00764), Mrs E Hiddleston (01158), Mrs E Smith (00854), Mrs E Young (00809), Mrs Edna Gordon (00865), Mrs Elizabeth Brown (00956), Mrs Ena Dutton (00869), Mrs Gillian M Dobson (01053), Mrs Helen Cherry (00940), Mrs Helen Forrester (00710), Mrs Isabel Ellison (00715), Mrs J.M. Manson (00724), Mrs Jane Barker (00709), Mrs Janis Keast (00707), Mrs Judith Chisholm (00722), Mrs K.L. Cameron (00841), Mrs Liz Downing (00892), Mrs Louise Jeffery (01088), Mrs M Collier (01285), Mrs M MacLeman (01082), Mrs M Smith (00949), Mrs M.E. Davidson (00856), Mrs Margaret Mackenzie (01325), Mrs Margaret Smith (01038), Mrs Mary Galloway (01288), Mrs Mary Pocock (00718), Mrs Maureen Stewart (00822), Mrs Meldrum (01123), Mrs Proudfoot (00793), Mrs Rachel Philip (00759), Mrs Ruth MacGregor (01125), Mrs S.L. Badger (00933), Mrs Sarah Cowley (00761), Mrs Stephanie Chatburn (00861), Mrs Verity Walker (00880), Ms Amanda Jack (01174), Ms Anne Jack (01126), Ms Brenda Steele (01299), Ms Bridget Houston (00960), Ms Catherine Willis (01120), Ms Catriona Willis (01287), Ms Deborah Guthrie (01085), Ms Donna Henderson (01347), Ms Emma Jones (00976), Ms Emma Sinclair (01113), Ms Helen Dornan (01176), Ms Helen McGarry (01305), Ms J Dunlop (01095), Ms Janet Dalgety (01156), Ms Janet Maclver (01103), Ms Janice Grant (01018), Ms Janice Joyce (01164), Ms Jennifer Morrison (00925), Ms Kate Bevan-Baker (01283), Ms Leslie Grant (01042), Ms Lorraine Brown (01163), Ms Lorraine Coxley (00930), Ms Lucy Maclennan (00946), Ms Mary MacDonell (01106), Ms Nancy Cameron (00950), Ms Naomi Lloyd (01331), Ms Nicole Watson (00931), Ms Norma Sinclair (01021), Ms Pamela Tait (01274), Ms Roda McKenzie (01178), Ms Rosemary Harrison (01297), Ms Sheena Basham (01295), N Lawson (00801), N.H. Wilson (00790), Neil And Monica Campbell (01093), Okain J McLennan (00837), P. Mckeggie (00853), P. R. James (01108), Rev. William Mather (00947), S.A. Comfort (00763), Sandy Holm (01344), Scottish Environment Protection Agency (00523), Scottish Natural Heritage (00204), Shona Haile (00802), Tulloch (01166), W.B. Bremner (01094)

Summary of comments received:

Nearly a half of the responses received on these settlements were in the form of an identical template letter, whilst roughly half were made in similar but not identical forms, with a small number submitted as individual and non identical responses.

General issues

Amenity areas and core path links - Suggestions made were that the right of way along Academy street to Chanonry Point should be improved, and that amenity areas should be identified and protected as preferred open space.

Common issues relating to the potential development sites

Preserving the distinct identities/characters of Fortrose and Rosemarkie, infrastructure/services provision, social integration, impact on the conservation areas, and loss of good farmland – were all key reasons given for the objection to many of the possible development sites identified in the MIR.

Directing housing growth to other settlements - There were also suggestions for a larger medical centre and allotments on undefined sites; and for additional housing to be alternatively delivered at either Tore, Cullicudden, Killen, or in rural areas.

MU2, MU3, H4, H5 and H6 (all non preferred in the MIR)

In consultation responses there is an almost unanimous support of the Council non preference of sites MU2, MU3, H4 & H5, whereas less than a third mention support of the Council non preference of H6. The main reasons given to support the Council's non preference of MU2, MU3, H4, H5 and H6 are: inadequate road transport and general infrastructure; loss of separate village identity; loss of good farm land; adverse landscape impact and loss of green space/belt; adequate, allocated alternative sites and inadequate local demand/need; adverse impact on local businesses/a preference to consolidate existing shopping functions on the High St; loss of village character and change to dormitory town; inadequate healthcare provision; loss of tourism; inadequate water and sewerage capacity and cordon sanitaire of existing plant; inadequate school capacity; adverse nature conservation impact; adverse flooding and drainage impacts; social impact of rapid expansion; and due to concern about the vernacular/architectural quality of new development/impact on the conservation area.

H6 (non preferred in the MIR)

There is however a small amount of support for housing/affordable housing on the Council non preferred H6. The development interest objects to the Council's non preference of H6 but does not request all of H6 to be allocated, just the area previously allocated in Ross and Cromarty East Local Plan, and considers that the reason for the Council's non preference relates to the extended site and its significant visual impact. The landowner objects to part of the Council non preferred H6 that was in Ross and Cromarty East Local Plan being non preferred but objects to the requirement for this site to be set out as courtyard development.

MU2 (non preferred in the MIR)

Despite the significant objections for site MU2 there is a small amount of support expressed for a larger supermarket or business units on the Council non preferred MU2. Development interest objects to the Council non preference of MU3 and suggests that the MU3 proposal responds to deficiencies and offers opportunities to enhance the role of Fortrose as a local service and tourist centre and create additional local jobs. It is considered that this will improve local prosperity and employment, manage the heritage, enhance services, and promote tourism and holding visitors.

MU3 (non preferred in the MIR)

Development interest seeks allocation of the Council non preferred MU3 for mixed-uses incorporating commercial, community and visitor facilities stating that this could:

- offer potential for further small shops, business/office units;
- provide for local offices, businesses, health care or social facilities;
- offer potential for a visitor centre which would enhance the Black Isle as a prestigious heritage resource and possibly incorporate a local park-n'-ride initiative to manage

seasonal congestion (existing interpretive facilities are considered rudimentary with conflicts for visitors passing through the golf course); and

- offers potential for a new village scale supermarket (6,000 square foot proposal) which would offer scope to relocate and double the size of the existing store, increase the capacity for local shopping, improve parking and servicing and help decongest the High Street enabling public safety improvements. The proposed store could carry a larger range of products and offer a service better related to the size of the catchment. It is considered that it would not have an adverse impact on existing shops as the new store size could not support specialist butcher and bakery functions.

Development interest considers that a mixed-use proposal for the Council non preferred MU3 is appropriate on this particular site because:

- it is within a comfortable walking distance (400m) of most of Fortrose and to Rosemarkie; and
- it is sufficiently close to the High Street that it can complement and strengthen the local business base by offering potential for interaction with local shops/businesses on the Main Street and with leisure/recreation and heritage attractions located towards the waterfront.

H1 (preferred in the MIR)

With regards to the H1 site where development is underway there were some objections to its inclusion however there was also a suggestion that this would be a good site for supermarket, and some support for it as a housing site.

Alternative Sites and Uses consultation - responses on (preferred) change of use from housing to mixed use community/commerce

Roughly three quarters of the responses received on these settlements were in the form of an identical template (121 template responses) where they indicated what use they would support on the site, whilst 18 people submitted individual comments by letter.

The majority of these respondents supported primary school provision on this site, whilst there was also significant support for a day care centre. More limited support was also received for affordable housing, social housing, sheltered housing, a medical centre, or leaving the site undeveloped, whilst although there was a box for supermarket in the template only one person selected this. Suggestions made included that consideration should be given to moving the George V playing field to the school site to allow for a supermarket on the available corner site, and the one respondent did think there was a need for a supermarket because the respondent considered that the existing Coop was under pressure however they did not necessarily support supermarket provision on this site.

Many of the individual responses were concerned about the impact a supermarket would have on the existing businesses on the High Street, particularly given its distance from the High Street. Also mentioned is concern about the negative impact a supermarket building would have on the built environment, and its traffic impact. Also mentioned is the belief that the Council will need to replace the Avoch primary school due to school roll increases.

The development and landowning interests in the MU3 site (which is a non preferred site) object to the identification of this land as a commercial site. There is disagreement with the way this has been presented as a change of use from housing when it is a site reserved for a primary school in the outline planning permission, and RACE Local Plan. It is

suggested that the quickest walking route to MU3 is 225 m as opposed to 510-590m for this site which is beyond the benchmark 400m for walkable distance used by the Council in its SEA. Also it is suggested that MU3 is 100m from a bus stop whilst this site is 350m from one. It is considered that this site is out of centre rather than edge of centre and therefore would not be preferable in sequential terms. There is also a suggestion that losing the primary school site would be a lack of forward planning and that residential amenity would be adversely affected by a supermarket in this location. It is also considered that MU3 would not breach the landscape limits or the building line and that all the factors weigh in favour of MU3 rather than this site for a supermarket development.

H2 (preferred in the MIR)

With regards to the H2 site where development is also underway there was some support for it as a housing site.

C1 (preferred in the MIR)

With regards to C1 there was a small number of respondents who objected to this site, concerned about the impact on the separation between Fortrose and Rosemarkie.

H4, and H5 (non preferred in the MIR)

Despite the significant objections for H5 there is a small amount of support expressed for a larger supermarket H5. Also development interest objects to the Council non preference of H4 and H5 and considers that the northern boundary of H4 would make a logical edge to the settlement of Fortrose and that the creation of a tourist building on H5 would improve waterfront facilities, and be good for the local economy. It is considered that the loss of farmland in relation to the Council non preferred H4 and H5 would be insignificant.

MU1 and H3 (preferred in the MIR)

There is significantly more limited objection to the Council preferred MU1, and H3 sites, and a small number object to the Council preferred cemetery extension on C1. The reasons given to object to the Council's preference of H3 and MU1 are given in descending order according to the number of people who have mentioned these issues: adverse landscape impact and loss of green space/belt; inadequate road transport and general infrastructure; loss of good farm land; loss of tourism; inadequate school capacity; loss of village character and change to dormitory town; loss of separate village identity; inadequate water and sewerage capacity and cordon sanitaire of existing plant; and adverse flooding and drainage impacts. There is some support however for redevelopment of the steading on MU1 and there are a couple of comments in support of H3 suggesting that it is poor quality farmland and/or that its development will be acceptable with quality landscaping/planting.

There is a small amount of support expressed for H3, and the development interest supports the Council's preference of H3 with access taken from East Watergate to the west but indicates that its capacity is for 6-8 houses rather than 16.

There is some support for the Council preferred MU1 particularly the brownfield part of this site.

Council's summary of responses to comments:

General issues

Amenity areas and core path links - In Fortrose and Rosemarkie green spaces will be identified for protection as long as they are considered to meet the criteria identified in IMFLDP. This means the Council will identify and safeguard areas of high quality, fit for purpose and accessible open spaces and this will be carried out using the methodology of the Highland Greenspace Audit and based on the policy principles as set out in Policy 74 Open Space of the Highland-wide Local Development Plan. At the moment this task has not been carried out and the mapping of green spaces in the plan will therefore change after this task is complete. With regards to path linkages and improvements these are sought alongside development proposals at the planning application stage.

Common Issues relating to the potential development sites

Directing housing growth to other settlements - It is recognised that the potential for future development in Fortrose and Rosemarkie and many other settlements on the Black Isle is constrained by landscape, settlement character impacts, and impact on the local road network. For this reason there is a need to consider the opportunity for a new settlement type proposal to accommodate a significant proportion of the longer term 2021 onwards housing needs. On the Black Isle the short to medium term focus is on making the most of existing infrastructure, and on consolidation and support of Black Isle communities. This is before supporting major expansion opportunities at Tore which requires significant public investment, and before the planned park and ride is in place in Tore providing enhanced public transport links. Tore's strategic location between major centres, on a junction of transport corridors, and its attractive landscape setting makes it a very desirable and suitable location for businesses and residents. Therefore in the medium to long term post 2021 with opportunities for growth of other Black Isle settlements increasingly limited by landscape and visual, settlement character, and road network issues, Tore is considered to be a suitable place to direct significant new development.

Preserving the distinct identities of Fortrose and Rosemarkie - One of the most common concerns expressed about future development is about potential loss of identity for Rosemarkie and Fortrose if development is allowed on the open land between the settlements. The coalescence of Fortrose and Rosemarkie is an important planning consideration as a clear visual and physical break in the built environment is desirable to retain their distinct identities. The area forms a strategic gap protecting the setting of both settlements and their separate identities. The emerging draft Scottish Planning Policy identifies a focus on positive place making with one of the six qualities being "Distinctive: places that complement local landscapes...." At the MIR stage the Council did not prefer many of the options within the gap other than preferring expansion at the cemetery which is considered only to have a marginal impact, as it preserves the land here as a form of open space, and also preferring the lower Wards Farm site for limited housing development. However in response to the objections received on H3 it is considered that the lower Wards Farm site H3 should be removed from the Development Plan because of its landscape impact and because of other factors which are outlined below against H3.

Infrastructure and service provision - Within Fortrose/Rosemarkie there are capacity issues on the High St which will limit the long term potential for development in the settlements and this may or may not be reached before other considerations limit the development. The road capacity will be established through the Transport assessment submitted alongside any planning application. This may also identify mitigation to help establish greater capacity, but it is recognised that the mitigation achievable will be

restricted by the physical environment. For this reason there is a settlement requirement to, “consider the implications of further development on the local road network and if necessary secure appropriate mitigation.” Also there are requirements to provide “transport information to support any planning applications for significant new development on MU1 Greenside Farm and on FR1 Ness Gap.”

There is capacity in the Waste Water Treatment Works for the supported allocations at Ness Gap in Fortrose and for Greenside Rosemarkie, subject to investments in upgrades to the water mains and/or sewer extension/upgrade for phases of development 2017 and onwards. The Plan also identifies that early engagement is required between developers and Scottish Water to ensure sufficient capacity can be delivered in the Assynt Water Treatment Works. Also at Fortrose the link water main between Black Isle Trunk and the service reservoir has very limited capacity, and assessment will be required to establish extent of water network and storage upgrades. In Rosemarkie new development is likely to have water pressure issues, and a possible solution is installation of a new link main to service. Therefore developers here will need early engagement with Scottish Water to establish an appropriate solution.

With regard to healthcare provision we are liaising with healthcare providers so they can plan for future healthcare provision. This is ongoing as the NHS operation manager and the General Practices will be consulted on the Proposed Plan.

Social integration - Comments are made about allowing for integration with the existing communities. It should be noted that phasing of development was secured through the Ross and Cromarty East Local Plan and then through the masterplan for Ness Gap with phasing of areas B through G. Each phase of this masterplan will be subject to a separate application for the approval of matters specified in conditions and no work shall commence within each phase area until such an application has been approved by the Planning Authority. This will help secure appropriate phasing of the development.

Impact on Fortrose and Rosemarkie Conservation Areas – Comments were made about the potential impact of new development on the Conservation Areas. In this regard the Council has committed in its Action Programme to produce Supplementary Guidance for both Fortrose and Rosemakrie Conservation Areas which identifies the appropriate scale, massing and location for new development as well as appropriate types of materials to be used for such development and in the alteration, extension and refurbishment of traditional buildings and shop fronts throughout the conservation areas. With regard to development outwith the conservation areas high design standards are also sought with the Development Plan content for Fortrose and Rosemarkie stating that “All development must be in keeping with the scale and character of the Conservation Area.”

Loss of good farmland – Comments were made about the loss of farmland. In this regard the council make reference to Scottish Planning Policy which states that the use of prime agricultural land is considered acceptable where it forms an important part of the settlement strategy. Therefore whilst loss of prime agricultural land forms part of the decision making process this is balanced with other planning considerations before deciding on an appropriate settlement strategy.

Housing sites

H1 Ness Gap – Preferred in MIR

There were a few respondents who expressed some concern about the Ness Gap site in the MIR consultation. However some of this site has already been developed, and the whole site has been granted outline planning permission which includes the masterplan for its overall development, and detailed planning permissions have been secured for many of the phases. This site should therefore remain in the Local Development Plan to support its completion.

Reference should be made to the section above on Common Issues relating to the potential development sites as well as this response to the more site specific comments made.

It is considered important given the lack of opportunity for commercial development in the MIR to consider whether the Plan should reflect the masterplan for Ness Gap without changes. This is because the primary school site could become surplus to requirements within the lifespan of this Local Development Plan. As part of the wider site masterplan, the North west portion of Ness Gap was given outline planning permission for a primary school site in accordance with Ross and Cromarty East Local Development Plan. However when considering the school roll forecast for Avoch Primary (which takes account of projected future development) it indicates that the school is running at 81% of its capacity and that this will remain stable over the next 15 years. That being said there are other reasons why the Council's Education service may look to provide a new primary school within Fortrose and all relevant factors will be considered in due course through the Council's Sustainable Schools Estates Review. This suggests that it is appropriate to allocate the site for community/commercial development and stipulate that no development should happen before the Sustainable Schools Estates Review has concluded and has established whether the site is required for primary school provision.

Please note that the names and reference numbers for comments submitted on the Alternative Sites and Uses consultation are not listed in this document. This consultation generated a large proportion of comments asking for the site to remain undeveloped or considering that it would be better allocated for another purpose (particularly community related development). However there is no firm proposal for a community development (such as a day care centre) so whilst this is an aspiration and can be identified as an acceptable use for the site (community use) it is considered inappropriate to safeguard land for this purpose. There was no provision in MIR for commerce development (tourism, business, and retail uses), and this site is considered suitable for these uses (subject to the requirements set out in the Plan) if the Sustainable Schools Estates Review does not require it for education provision.

The developer interest of MU3 considers this to be an inappropriate site for retail being further from the town centre than MU3 and beyond easy walkable distance. Whilst there is some difference in the distances quoted it is acknowledged that this site does lie beyond 400m walking distance of the town centre lying around 480m from the closest point. However with submission of a planning application for any retail use the applicant is expected to demonstrate an examination of options within the town centre and then as close to this as possible (following the sequential approach set out in Scottish Planning Policy). This examination of options should include the potential for excambion (exchange) of land including the George V playing field and land suitable for replacement greenspace provision which may include this site. The plan only seeks to identify that H1 has scope for commercial development, with the qualification that any proposals for retail development

would be subject to the sequential approach, and subject to demonstrating no detrimental impact on the viability and vitality of the town centre. At this stage it has not been established whether there is spare capacity for additional retail provision, and whether a supermarket/or what scale of supermarket can be provided without a detrimental impact on the town centre.

The Main Issues Report (MIR) did not reflect the uses given planning permission. The allocation should be a Mixed Use allocation to reflect the outline planning permission approved masterplan which identifies opportunity for a primary school site. However after considering the responses to the MIR (which includes the desire by some members of the public, and by a development interest of the MU3 to have an allocation for retail purposes) it is considered that the Plan should reflect the uses given planning permission but also indicate possible potential for commercial development (tourism, business, and retail uses) depending on the outcome of the Sustainable Schools Estates Review. It should be noted though that development (the Co-operative) and landowning interest in the MU3 site have both made representations against the allocation of this site for retail.

It is considered that this site should be supported in the Plan but subject to the following requirements. Requirements for: a sequential approach to any retail development, with sufficient retail information to help determine whether there will be no detrimental impact on the vitality and viability of the town centre, and for updated transport assessment to determine scope for the proposed development (subject to any mitigation measures). Other developer requirements associated with this site should reflect those set out within the outline planning permission granted for the Ness Gap site in June 2010.

There is likely to be scope for an increased housing capacity beyond the 132 houses given outline planning permission. There is land within the masterplan housing areas (on the phases E, and F which amounts to roughly 1.4 hectares of housing allocation land). These phases E and F have yet to be subject to a detailed planning application and yet the Council already have detailed permissions or have applications submitted on the rest of the masterplan site which already amounts to 132 houses. However support for any increased level of development will hinge on an updated transport assessment (and whether there is capacity for the proposed development or capacity subject to local road network mitigation measures). There has been 77 houses built on the Ness Gap site, and it is recommended that the remaining undeveloped part of this site should be allocated in the Plan for Mixed Uses including 80 houses and Community, Business, Tourism and Retail uses with requirements to cover the above mentioned issues.

C1 Cemetery extension – Preferred in MIR

There were a few objections to this site however it is considered that the impact of this proposal is much less significant than built development as it would still be a form a green space and help preserve the gap between the settlements. Therefore it is recommended that this site should be allocated for possible cemetery expansion in the Plan subject to appropriate developer requirements.

H2 Ness Way South – Preferred in MIR

The site is a suitable site for housing development and gained outline planning permission for 4 houses in June 2007, whilst 1 house submitted for and received detailed planning permission in January 2010. With this site having a limited capacity it is considered that it is not necessary for it to be shown as an allocation and can instead be supported by being

retained within the Settlement Development Area.

H3 The Wards – Preferred in MIR

Reference should be made to the section above on Common Issues relating to the potential development sites as well as this response to the more site specific comments made.

Access from the main road (East Watergate) rather than the cul de sac is preferred as it involves less soil movement and provides a better point of access from a visibility perspective although there would need to be a requirement for some kind of gateway feature to help reduce the speed of vehicles from this approach. It is also considered that the 8 houses proposed is a more suitable capacity for this site given the reduced area from that shown in the Ross and Cromarty East Local Plan as this would help mitigate the visual impact. However there would still remain a significant landscape and visual sensitivity to this sites development. It would reduce the gap between Rosemarkie and Fortrose and lies in a prominent position on the hillside which means that even with mitigation measures this site would have a negative impact on the character of the village. In this regard it is relevant to note that the East Ross Settlement Landscape Capacity Study 2001 does refer to discouraging development in this location despite the land being allocated in successive local plans.

The local road network here is also problematic and there is no footpath provision from beyond the 30 mph (which lies before you reach Bruce Gardens). Whilst the mitigation identified in the Ross and Cromarty East Local Plan would help minimise the visual impact to some extent it is considered that the residual impacts would still be unacceptable. The factors which weigh in favour of supporting this site are that it offers some additional choice and flexibility in the housing land supply, and is not prime agricultural land. However the negatives are considered to be more significant and relate to the landscape and visual impacts, and access difficulties. Overall these issues and impacts are considered to outweigh the benefits of allocating this site especially given the question marks over its effectiveness with this site appearing in successive Local Plans without securing a planning permission to enable its development. It is therefore recommended that this housing site should not be allocated in the Plan.

H4 Land north of Scorrielea – Non Preferred in MIR

Reference should be made to the section above on Common Issues relating to the potential development sites as well as this response to the more site specific comments made.

The advice given from TECs roads colleagues suggests that this site should be resisted as there is no acceptable access solution. However there are also other contributing reasons why this site is not favoured. The site lies on prime agricultural land that provides a green wedge which separates Fortrose and Rosemarkie helping them to retain their distinct identities and providing them with an attractive setting (acknowledging that there is no physical feature from here towards Rosemarkie that would provide a logical physical break to the built environment after this sites development). For these reasons it is considered that this site is inappropriate for housing development and it is recommended that this site should not be allocated for development in the Plan.

H5 Land north of Caravan Park – Non Preferred in MIR and consulted on as a Non

Preferred site for Tourism in the Alternative Sites and Uses consultation

Please note that the names and reference numbers for comments submitted on the Alternative Sites and Uses consultation are not listed in this document. Reference should be made to the section above on Common Issues relating to the potential development sites as well as this response to the more site specific comments made.

It is understood that this land has subsequent to the MIR consultation this land been purchased by the golf course and it is understood that they will not seek its inclusion in the Plan for development purposes. However for avoidance of doubt it should not be supported for development because there is an access issue, with access required from Hawkhill road. The site also lies on prime agricultural land that provides a green wedge which separates Fortrose and Rosemarkie helping them to retain their distinct identities and providing them with an attractive setting. There is also no physical feature to provide a logical break to development between here and Rosemarkie, and the site is outwith an easy walkable distance of village facilities. This site was suggested for tourism development in response to the MIR and although there are potential economic benefits from increased number of tourists visiting and spending money in the area and employment creation it is considered that the issues and negative impacts of its development would outweigh these. For these reasons it is considered that this site is inappropriate for any development and it is recommended that it should not be allocated in the Plan.

H6 Upper Wards – Non Preferred in MIR

Reference should be made to the section above on Common Issues relating to the potential development sites as well as this response to the more site specific comments made.

The developer interest suggests that a smaller site here (ie. the one allocated in the Ross and Cromarty East Local Plan) rather than the one shown in the IMFLDP MIR would have an acceptable visual impact and that this should be identified but without the requirement for this to be courtyard development. However the site is located further up the hill from H3 and additional road improvements would be necessary to enable development. It is also considered that this site is sensitive in terms of its impact on the landscape, introducing a cluster of development in an upper hillside location where the landscape can only successfully accommodate isolated dispersed development. More substantial clusters of housing would appear inappropriate in this location and would appear as an unsympathetic extension to Fortrose. It is considered that the current isolated dispersed housing pattern here reflects the upland farming landscape here and helps maintain the character and identity. The site is also outwith an easy walkable distance and has further accessibility issues from the steep slope and lack of footway. For these reasons it is considered that this site is inappropriate for housing development and it is recommended that it should not be allocated in the Plan.

Mixed use sites

MU1 Greenside Farm - Preferred in MIR

This is an allocation that is in the Ross and Cromarty East Local Plan and planning permission was given for a small part of the site for the redevelopment of the steadings. The rest of the site has not yet been subject of a planning application.

Reference should be made to the section above on common issues relating to the

potential development sites as well as this response to the more site specific comments made. Whilst there is concern about coalescence this site does not impact on coalescence of Fortrose and Rosemarkie as it lies opposite existing housing development and is within the built environment of Rosemarkie. Its development will however help to reinforce the feeling that you have arrived in Rosemarkie and should therefore help slow traffic. Also the structural tree planting requirement to the south of the site will clearly indicate the start of the settlement and soften its impact, whilst the Waste Water Treatment Works provides a recognisable physical barrier to further development towards Fortrose. Further supporting factors are that the site is close to village amenities and services, offers the only significant housing development opportunity in Rosemarkie, and offers some choice and flexibility to the housing land supply in the local area. For these reasons it is recommended that this site should be allocated for housing development in the Plan.

MU2 adjacent to the waste water treatment works – Non Preferred in MIR

Reference should be made to the section above on Common Issues relating to the potential development sites as well as this response to the more site specific comments made. There is strong resistance to this site in the majority of the consultation comments. The area forms a strategic gap protecting the setting of both settlements and their separate identities. Since it is considered that the coalescence of Fortrose and Rosemarkie is an important planning consideration and this site would effectively span the majority of the green wedge between them it is resisted. Even if odour nuisance could be considered to be acceptable it is nevertheless considered inappropriate for landscape, settlement character and identity reasons. For these reasons it is recommended that this site should not be allocated for development in the Plan.

MU3 Opposite the Cemetery - Non Preferred in MIR

Reference should be made to the section above on Common Issues relating to the potential development sites as well as this response to the more site specific comments made. The area forms a part of a strategic gap which protects the setting of both settlements and their separate identities. It is considered that the coalescence of Fortrose and Rosemarkie is an important planning consideration and this sites development would lessen the gap. Also there is no supporting landscaping/planting framework in place to try and alleviate the impact that this sites development would have on the distinct identities of Fortrose and Rosemarkie. Furthermore the need for a bigger supermarket has not been established (by retail information). Also the options for retail sites closer to the town centre should be thoroughly examined including possibilities for land excambion (land exchange) with King George V playing field, there will possibly be opportunity for retail uses within the Ness Gap site. Please see response to H1 for more detail on this, however whilst it is acknowledged that the site within H1 is not as good as MU3 for retail from an active travel perspective, it is considered to be an edge of centre location like MU3, whilst the site in H1 would not impinge on the separation of Fortrose and Rosemarkie. Therefore for these reasons it is recommended that this site should not be allocated in the Plan.

Recommended Proposed Plan Content:

The following consideration of sites sets out some of the specific developer requirements however this is not a complete list of the developer requirements, a full list will be developed and presented in the Proposed Plan and associated documents.

Retain site C1

Retain but amend H1 to a Mixed Use site, reflect the notable planning permission conditions in the developer requirements, and also reduce the area to include only the undeveloped parts of the site. Also extend the uses beyond the outline planning permission uses for housing and community to additionally include business, tourism and retail and identify potential capacity for 80 houses which is also beyond the outline planning permission. Developers requirements for a sequential approach to be taken for retail development, to ensuring no detrimental impact on the vitality and viability of the town centre, and to require developer preparation of revised Transport assessment and Design Statement.

Retain but amend MU1 from mixed uses to a housing allocation.

Remaining MIR sites and suggested new sites are not retained/recommended for inclusion

Issue	INVERGORDON	
MIR reference:	MIR 7.28	
List of persons and organisations who submitted comments (including reference number)::		
<p>Combined Power And Heat Highland Ltd (00983), Cromarty Firth Port Authority (00619), Invergordon Community Council (00293), Mr And Mrs A Manson (01077), Mr Arnold Francis Bova (00974), Mr Carl Beck (00391), Mr Colin Graham (00656), Mr Peter Marshall (00641), Mr Roderick Mackenzie (01210), Munro Construction (Highland) Ltd (01235), Network Rail (00438), RSPB Scotland (01186), Scottish Environment Protection Agency (00523), Scottish Natural Heritage (00204), The Scottish Government (00957)</p>		
Summary of comments received:		
GENERAL		
<i>Species</i>		
Settlement-wide developer requirement for species surveys including reptiles		
RSPB consider that all mixed use and industrial sites within Invergordon have the potential to impact on the Inner Moray Firth SPA and should be assessed as outlined in SPP1 and SOEnD Circular 6/1995 (amended June 2000).		
<i>Open Space</i>		
Allocation of open space at: Shore Line, Natal Garden and Playing fields as protected open space		
<i>Active Travel</i>		
Desire for path connecting Alness and Invergordon		
<i>Role of Invergordon</i>		
Promotion of tourism and leisure development in Invergordon rather than heavy industry that should be relocated to Nigg		
Translate Moray Firth Ports and Sites Strategy into policy in the proposed plan		
Allocate oil service base for industrial use		
Health, safety and amenity concerns about operators within the Port Authority area		
SETTLEMENT DEVELOPMENT AREA		
<i>Large Scale Expansion of SDA</i>		

Inclusion of additional land within the settlement development area, including C2 and Rosskeen Farm, north to the A9, eastwards along the A9 as far Broomhill then southwards to link up with Cromarty Firth Industrial Park and north of Saltburn as far as the railway line.

SITES

C2 – Non-preferred in MIR

Inclusion of Rosskeen Church (site C2) within settlement development area to provide opportunity in the future to have a project to restore/develop the site as a heritage site.

H3 – Non-preferred in MIR

Site should be supported for housing. Concern regarding increased vehicular and pedestrian traffic across Ord Mains private level crossing

H4, H5, H6 – Non-preferred in MIR

Extend settlement boundary to encourage inward investment and housing including some select plots at the western edge of the golf course including sites H4, H5 and H6.

Flood risk assessment required in support of planning application if development is proposed close to the watercourse. Must take into account future river processes, some morphological assessment would be required.

I1 – Preferred in MIR

Does not consider site is constrained by other uses

I3 – Preferred in MIR

Flood risk assessment may be required for redevelopment in the vicinity of the water course or if further information indicates flood risk to the site.

Site not suitable for an energy from waste plant due to health and safety issues

Industrial Park is appropriate for the location for the development of further waste management facilities, including an energy from waste plant. Plan should recognise existing industrial park contains waste management facilities.

I5 – Non-preferred in MIR

SNH supports non-preference of site because of potential adverse effects on the Cromarty Firth Special Protection Area.

Only suitable for development where location is essential for operational reasons. Flood risk assessment required if non-port related development was proposed.

Site is within tidal zone and is below High Water being owned by the Crown Estates

Development of site will not result in loss of green space

Ex-amenity and is Port Operational land and forms part of the land encompassed under I6

I6 – Preferred in MIR

Potential adverse impact on Cromarty Firth Special Protection Area and connectivity to Moray Firth Special Area of Conservation.

Do not consider 'potential impact on Cromarty Firth Site of Special Scientific Interest, Special Protection Area and Ramsar site' is a significant con as the site is developed and as such is above the Highland Water Mark and this does not form part of the designated environmental protected areas under the Habitats Directive

Site only suitable for development where the location is essential for operational reasons. Flood risk assessment required to ensure site will remain operational during flood conditions or if non-port related development is proposed.

I7 – Preferred in MIR

Some feeling that site should be safeguarded for agricultural use.

Ensure conformity with Habitats Regulation Appraisal given proximity to overlap with Cromarty Firth Special Protection Area and connectivity to Moray Firth Special Area of Conservation.

Flood Risk Assessment or topographic levels required prior to inclusion of site in Proposed Plan. Morphological assessment and space for restoration and development of natural processes in the future.

Further information required on the site and cumulative impact on the A9(T) for Transport Scotland to provide an informed response.

MU2 – Preferred in MIR

Flood Risk Assessment required if development is proposed close to the watercourse; buffer should be provided between development and the watercourse

MU3 – Preferred in MIR

Consider that correct description of site is Former Ministry of Defence Storage and Distribution Facility for Aviation and Low Viscosity Fuel Oil.

Concerns raised regarding the allocation of this site for the following reasons:

- Land is heavily contaminated and will require extensive degassing and decontamination
- Cost of decontamination is not provided
- Development will adversely affect the amenity and health of safety of local residents
- Development will increase pluvial flood risk to existing properties

- No redevelopment required as the site is disused, unoccupied and screened from views

MU4 – Preferred in MIR

Flood Risk Assessment required prior to inclusion of site in Proposed Plan. Morphological assessment required, in particular the restoration of Rosskeen Burn; this is a SEPA priority. Allow space for restoration and development of natural processes in the future.

Request for the identification of an education facility as possible use.

MU5 – Preferred in MIR

Flood Risk Assessment required prior to inclusion of site in Proposed Plan. Morphological assessment required, in particular the restoration of Rosskeen Burn; this is a SEPA priority. Allow space for restoration and development of natural processes in the future.

ALTERNATIVE SITES AND USES CONSULTATION

Details of those submitting comment to this consultation are not listed in this document.

Inclusion of House of Rosskeen and Associated Grounds

Request for extension of Invergordon Settlement Development Area to include the entire curtilage of The House of Rosskeen including woodland and open ground.

Concern was raised by SNH as the potential allocation seemed to affect Ancient Woodland (Type 1b – long established of plantation origin).

Objection was raised to the Council's non-preference to extend the SDA at this location for the following reasons:

- Reasons stated in original submission to MIR
- Site is partially brownfield
- Additional housing would contribute to the local housing land supply
- Pros of site provided in New Site consultation - limited visual impact, no flood risk issues and re-use of vacant buildings - are given little weight
- Few negatives identified in SEA Site Assessment
- Any impact upon archaeological interests would be minimal as the site of the former Invergordon Castle would not be built upon and archaeological assessment would likely be a condition of any planning permission
- Impact on ancient woodland would only be between the Castle and the Honeymoon Cottage, remainder of woodland would be safeguarded and managed effectively
- Would allow for more definitive settlement edge and would be consistent with the approach to inclusion the golf course in the SDA
- Area also has very similar physical and locational characteristics to the preferred development site at NAIRN NS4 at Househill
- Question effectiveness of supported 'consolidation' sites within Invergordon, development at House of Rosskeen would be an effective site capable of contributing towards the housing land supply
- Concern that lack of effective housing land supply will result in lower school roles

and effect viability of services

- Would encourage inward investment in Invergordon
- Positive response to proposals by Invergordon Community Council
- Would help to eradicate vandalism and fly-tipping which are both currently a problem in the area

OTHER ALTERNATIVE SITES AND USES

The following sites were suggested in representations but were not consulted upon as part of the formal alternative sites and uses consultation. This was due to scale/type of uses of proposed and/or the potential effectiveness of site.

Town Centre Sites

Request for the allocation of the following sites: former garden centre on the High Street for housing; former Bone Mill for retail/housing use; former coal yard for housing, possibly sheltered.

Quarry

Provision made for the expansion and subsequent reinstatement of the Invergordon Sand and Gravel quarry to the north of Rhicullen/Newmore.

Council's summary of responses to comments:

GENERAL

Species

A requirement for species surveys, including reptiles and great crested newts, will be included in the settlement text for Invergordon.

Allocation of Open Space at Shore Line, Natal Garden and Playing Fields

The Ross and Cromarty East Local Plan protects landscaped areas along Shore Road from development and these areas are also shown in the Invergordon inset map for the plan. It is assumed that the Community Council's request for the Shore Line open spaces/amenity areas to be protected comprises the same areas as those shown as protected in the Ross and Cromarty East Local Plan. The Ross and Cromarty East Local Plan also protects Natal Garden and the playing field/play areas throughout the town from development. Similar areas are shown as preferred open space in the plan. It is agreed that because these areas form attractive areas of open space that are high quality, accessible and fit for purpose they should be protected from development and therefore allocated as open space.

Active Travel

A high quality segregated walking and cycling route was completed in 2012 (following the period of the MIR consultation) that runs the full length between Alness and Invergordon. This request has therefore now been fulfilled and is not required to be considered as part of the plan.

Role of Invergordon

The Inner Moray Firth Ports and Sites Strategy: 2050 was approved as supplementary planning policy in support of the Development Plan at the Planning, Development, Europe and Tourism Committee on 31st May 2006. Since this time a number of changes have been made to planning legislation meaning that there are now different procedures for the preparation and adoption of supplementary guidance and a new development plan has been adopted.

Therefore at the current time the Inner Moray Firth Ports and Sites Strategy: 2050 is not statutory supplementary guidance to the HwLDP. It is however identified as existing supplementary guidance in the HwLDP. The plan explains that further work will be undertaken on whether the guidance will be statutory or non-statutory going forward. At this time it is not intended to adopt the strategy as statutory supplementary guidance to the HwLDP or the Inner Moray Firth Local Development Plan. This is because the strategy, written in 2006, is now somewhat dated and its recommendations have been superseded by developments since that time, for example the establishment of Enterprise Areas and the publication of the National Renewables Infrastructure Plan. It will continue as non-statutory supplementary guidance which has some weight as a material planning consideration. It therefore would not be appropriate to be translated into policy in the Inner Moray Firth Local Development Plan.

Whilst the Inner Moray Firth Ports and Sites Strategy: 2050 does list clean cargo with Ro Ro/cruise and waterfront regeneration and marina as target sectors for Invergordon the HwLDP Plan Vision and Spatial Strategy for the Inner Moray Firth identifies Invergordon as an employment base. The text explains that diversifying the Highland economy ports and harbours, including Inverness and Invergordon, will have supported the growth of tourist and renewables related economic development. Furthermore the landowner is actively developing and expanding the site to provide additional quay and landward space to address future anticipated markets, particularly in the oil and gas and renewables sectors. It is estimated such facilities will result in significant investment and employment opportunities.

In terms of a policy to relocate heavy industry to Nigg this is not possible. The HwLDP supports a network of ports and harbours in the Inner Moray Firth area that complement each other and supports the creation of employment centres at Nigg, Highland Deephaven, Invergordon and Whiteness. It would therefore be contrary to the HwLDP if policy was changed to focus clean cargo with RoRo/cruise and waterfront regeneration and marina in Invergordon and heavy industry at Nigg. Furthermore much of the recent development that has taken place in Invergordon is not governed by planning legislation and therefore it is outwith the control of the planning authority to provide support or otherwise for individual developments of this nature.

It is therefore considered that Invergordon is capable of accommodating clean cargo with Ro Ro/cruise and waterfront regeneration and marina as well as heavy industrial development such as oil rig repair and maintenance and renewables manufacture and will therefore continue to be allocated in the plan for this purpose.

SETTLEMENT DEVELOPMENT AREA

Large Scale Expansion of Settlement Development Area

The Invergordon Settlement Development Area as suggested by the Community Council is very large and includes significant swathes of open countryside. Whilst there may be perceived benefits of this to the Community Council, in particular economic benefits, opportunities for housing development, site for a supermarket and education facility, it is considered inappropriate to extend the settlement development area to this extent where there are no real prospects of development; much of the land is prime agricultural land; there is potential for adverse landscape and visual impacts and parts of the land are at risk of flooding. It would also allow for unplanned, un-phased adhoc development that is inconsistent with the principles of development planning and the approach to the plan as a whole. The plan needs to identify areas of major change on effective sites. It is therefore considered appropriate for the settlement development area to reflect the built up areas of the town along and planned expansion areas.

SITES

C2 – Non-preferred in MIR

Site C2 comprises the now vacant Old Rosskeen Parish Church and Burial Ground which are category A Listed Buildings. It lies on the western fringes of the town beyond Invergordon Golf Course. Given its distance and detachment from the town it is not considered appropriate for it to be included within the settlement development area. Whether or not the site lies within the settlement development area does not preclude the likely success of the Council's support for restoration of the church. The principle of the creation of tourist facilities, both within settlement development areas and outwith is supported by Policy 43: Tourism of the HwLDP provided the proposal will safeguard, promote responsible access, interpretation and effective management or enhancement of natural, built and cultural heritage features. Furthermore Policy 57: Natural, Built and Cultural Heritage for features of natural importance allows developments that can be shown not to compromise the natural environment, amenity and heritage resource.

H2 – Preferred in MIR

This site is now substantially complete and therefore will be deleted from the plan.

H3 – Non-preferred in MIR

Invergordon Community Council support the development of housing on site, however they have not stated any reason for this preference. This site was non-preferred in the MIR for number reasons, including landscape impact proximity to existing industrial developments. For these reasons the site will not be allocated in the plan.

Network rail's concerns regarding increased vehicular and pedestrian traffic across Ord Mains private level crossing is noted.

H4, H5, H6 – Non-preferred in MIR

It is not felt appropriate to allocate sites for select plots at the western edge of the golf course. Whilst this may bring some investment to the town, the plan focuses on areas of major change and therefore does not allocate sites of such a small size, unless there are

overriding reasons to do so.

Furthermore it was considered that it is not appropriate to include Invergordon Golf Course within the settlement development area in the plan as its inclusion is not consistent with the general approach to defining settlement development areas. Settlement development areas are shown to reflect the extent built development and any supported expansion areas. The golf course has therefore been excluded from the settlement development area in the plan.

Flooding and morphology considerations are noted.

I1 – Preferred in MIR

I1 is a prominent site on Invergordon High Street. It is currently allocated in the Ross and Cromarty East Local Plan for a railway goods siding reflecting the planning permission which was granted for this use to the Cromarty Firth Port Authority in 1999. This permission was never implemented and has since lapsed. Nevertheless the location of the site between the railway line and established industrial units and builders merchant yards, does however mean that its use for industrial storage appears suitable in land use terms. Furthermore the site was granted temporary planning permission (ref: 11/03444/FUL) in December 2011 for change of use from railway sidings to a port related storage facility. Through the determination of that planning application the use of the site as an industrial storage facility has been established but only for a temporary period. At the time of writing a planning application (ref: 13/01574/FUL) is pending for a variation of condition of the temporary consent to allow private cars to be parked on site, change of access to Station Road and increase in operation hours.

Since the temporary planning permission was granted the site has been remediated for the purposes of a storage facility. Given the strategic position and prominence of the site it is considered it has potential for use for housing, business or tourism purpose such as a hotel. The site will therefore be allocated for mixed use in the plan.

I3 – Preferred in MIR

Cromarty Firth Industrial Park is an established industrial park in the north east of Invergordon. It is currently occupied by a number of businesses including a coal yard and waste management facilities. Whilst the majority of the site is now occupied some vacant land remains for the development of industrial or business uses.

The industrial park is bounded to the north by a water course known as Johnstones Ditch. The SEPA Indicative River and Coastal Flood Map shows that this watercourse is at risk of flooding, however the extent of flood risk only affects the northern periphery of the industrial park. It is therefore accepted that a flood risk assessment may be required for redevelopment in the vicinity of the watercourse or if further information indicates flood risk to the site.

A planning application (ref: 08/00455/FULRC) was submitted in 2008 for the erection of a waste to energy combined heat and power on a vacant piece of land in the south west of the industrial park. The application was refused in 2009, however the applicant appealed and that appeal was successful. However, the appeal decision was subsequently

challenged through the Court of Session, and the appeal was returned to the Directorate for Planning and Environmental Appeals for re-determination. A public inquiry was held in summer 2012 and its outcome was reported in November 2012, which was to allow the appeal and grant planning permission for the development. However following this decision two separate challenges in the Court of Session against this decision have been launched. These challenges are by The Highland Council and Ross Estates. The outcome of these challenges has not been decided at the time of writing. Until the outcome of these challenges is known it would be inappropriate to identify the site for further waste management facilities, including an energy from waste plant or otherwise. It is therefore considered that it is unnecessary for the plan to recognise the existing industrial park contains waste management facilities and that the site should be continue to be allocated for general industrial use rather than any specific industrial use.

I4 – Preferred in MIR

This site is now substantially complete and will be therefore be removed from the plan.

I5/I6 – Non-preferred in MIR

The area of open space known as the Linear Park lies to the north of operational Cromarty Firth Port Authority land, directly south of the B817. It is identified as preferred open space in the Main Issues Report. However, since the publication of the Main Issues Report, the Cromarty Firth Port Authority have developed part of the Linear Park for additional port facilities. This development was completed in late 2012. As the land was being developed by the Port Authority for port related uses this is deemed permitted development therefore no planning application was required. As the site has now been developed it is appropriate for it to be included within the wider Cromarty Firth Port Authority allocation (I6).

The site's boundary lies close to the coast of the Cromarty Firth which is a designated Ramsar and Special Protection Area. The Habitats Regulation Appraisal screened in this site as it was considered likely to have a significant effect on the Cromarty Firth Special Protection Area; it therefore required appropriate assessment. The appropriate assessment identified potential impacts of development of the site upon the Cromarty Firth Special Protection area and subsequently identified mitigation measures that would allow there to be no residual impact on the integrity of the European site. Full details of potential impacts and mitigation are provided in the Habitats Regulation Appraisal; mitigation requirements will also be detailed in the Proposed Plan.

The site lies close to areas identified as at risk from coastal flooding. The text accompanying the site allocation will therefore require a flood risk assessment to ensure the site will remain operational during flood conditions or if non-port related development is proposed.

I7 – Preferred in MIR

The now revoked Scottish Planning Policy 2: Economic Development (*Scottish Government, 2002*) required this site at Delny to be safeguarded in the development plan as it had potential to accommodate integrated wood processing industries including pulp mills. Accordingly the Ross and Cromarty East Local Plan allocated the 100ha site for a

large single user enterprise. The Inner Moray Firth Ports and Sites Strategy: 2050 (*The Highland Council, 2006*) explains that a new company, Forscot, was established to take the project forward with different components planned to come on stream during 2007-2009 and a total projected investment of £1.2 billion, with 500 direct permanent employees. However in 2008 Forscot announced plans for the development were being abandoned due to lack of funding. Whilst the consolidated Scottish Planning Policy no longer makes reference to the potential development at Delny and there is currently no known active interest in the site it is considered that it remains appropriate for it be allocated the plan. This is because a significant money has been spent in the past on feasibility studies for the site, and it was identified for its merits in the past on a national level. The site also has the potential to be accessible by rail, air and sea and to accommodate large single or multiple user enterprises. There is also understood to currently be a shortage of industrial land in the Cromarty Firth area and this site could help to overcome this shortfall.

A large part of the western side of the site is identified as being at risk from flooding on the SEPA Indicative Coastal and River Flood Map and therefore SEPA oppose the inclusion of this site in the absence of a flood risk assessment being undertaken beforehand. However it is felt that if suitable wording is used in the plan to explain that no development will be permitted within areas identified as being at risk from flooding then it remains appropriate for the site to be allocated in the plan. Removing or reducing the site area of this important strategic site in the absence of any detailed flood risk information is not considered a proportionate approach.

Requirements for morphological assessment and space for restoration and development of natural processes of the watercourses are noted; this will be included as a requirement in the plan.

In parallel with the preparation of the IMFLDP transport and planning officers from the Highland Council and the Highland Regional Transport Partnership HiTrans have been working together on a project known as Transport Infrastructure for Growth (TIG). This work has analysed the likely capacity of the existing transport network and services/infrastructure to accommodate future development, and the likely benefits of proposed transport projects proposed. It also used a combination of transport modelling, as well as the involvement of transport partners from the public and private sector, to identify the likely improvements required to the transport network to support the scale of development in each settlement and the wider growth areas.

As a result of this work, a number of strategic and local transport infrastructure requirements have been identified and are listed against the relevant growth areas and/or settlements and/or sites in the Local Development Plan and the Action Programme. Masterplans and/or planning applications for new development that may have an impact on the trunk road or local road network will be required to undertake a transport assessment. This will determine any impacts and required mitigation that will be expected to be developer funded.

The modelling found that there was no detrimental impact upon the strategic transport network as a result of the cumulative impact of development in Invergordon. Impacts on the local road network were also considered and any settlement wide or site specific requirements are listed in the plan. In particular there are known to be issues with the

A9(T) Tomich junction, reference to the requirement for developer contributions for its upgraded is listed in the plan.

The Habitats Regulation Appraisal screened in this site as it was considered likely to have a significant effect on the Cromarty Firth Special Protection Area and Moray Firth Special Area of Conservation; it therefore required appropriate assessment. The appropriate assessment identified potential impacts of development of the site upon the Cromarty Firth Special Protection Area and Moray Firth Special Area of Conservation and subsequently identified mitigation measures that would allow there to be no residual impact on the integrity of the European site. Full details of potential impacts and mitigation are provided in the Habitats Regulation Appraisal; mitigation requirements will also be detailed in the Proposed Plan.

Concerns relating to the loss of prime quality agricultural land are noted. Scottish Planning Policy advises (inter alia) that development on prime agricultural land should not be permitted unless it is an essential component of the settlement strategy. It is therefore considered that loss of prime agricultural land at this location, whereby significant housing expansion in Invergordon is supported due to its location on the Easter Ross Growth Corridor, is an essential component of the settlement strategy and therefore is consistent with Scottish Planning Policy.

This site will therefore continue to be allocated in the plan.

MU1 – Preferred in MIR

Further consideration of this site showed that previous planning permissions for mixed uses including a supermarket and church have now expired. The Council is also aware that the landowner intends to develop this site for solely housing. Given the costs that are understood to be associated with the decontamination of the site, it is considered an allocation for solely housing is most appropriate. The site will therefore be allocated for housing in the plan.

MU2 – Preferred in MIR

No part of the site is identified as being at risk from flooding on the SEPA Indicative River and Coastal Flood Map. However given the presence of nearby water courses it is agreed that the following developer requirements should be included in the plan: buffer zone where no development takes place should be provided in vicinity of watercourse; flood risk assessment will be required if development is proposed in the vicinity of the watercourse.

MU3 – Preferred in MIR

Site MU3 is known as Seabank Tank Farm and was formally used as an oil storage facility during World War 2. The Ross and Cromarty East Local Plan notes that the tank farm has been empty for several years. The site provides a significant redevelopment opportunity to remove an eyesore and create a new neighbourhood, encompassing housing, open space, community facilities and cross town links. It notes this will require significant investment from both the public and private sectors, particularly to clear up any contamination on the site. The site presents a major opportunity to dramatically improve

the landscape of the town, open up land for a variety of housing, provide a large area of central open space and create links between Inverbreakie, the town and the High Street and Tomich Road.

The site is commonly known historically and continues to be known locally as Seabank Tank Farm, it is therefore considered appropriate to continue to use this name to describe the site. Whilst the terminology provided in the representation may be correct it is too lengthy a description for common use. The site will therefore continue to be referred to as Seabank Tank Farm in the plan.

It is accepted the land associated with the site is likely to be heavily contaminated due to its historical uses and that decontamination will require to be carried out before any development can take place. However the site is in a strategic location in Invergordon close to the town centre and port therefore provides a major opportunity to dramatically improve the landscape of the town through the redevelopment of the site for a number of uses including housing, open space, tourist/heritage facility and possible hotel or other form of tourist accommodation. The support for the regeneration of the site is also consistent with Scottish Planning Policy which requires planning authorities to prioritise redevelopment of brownfield sites. Furthermore Scottish Planning Policy requires planning authorities to support and promote proposals to bring vacant land back into productive use for development or to create more attractive environments. It considers that vacant and derelict land can act as a constraint on the economic growth of towns and therefore authorities should therefore adopt a proactive approach to encouraging the reuse previously developed land, making use of land assembly and compulsory purchase orders to enable redevelopment opportunities. The regeneration of Seabank Tank Farm is also key achieving the Vision and Spatial Strategy of the HwLDP. Whilst it is accept the site may not be causing any issues at the moment it cannot be left derelict indefinitely.

A number of studies have been commissioned to determine the extent of decontamination on the site. To date, however no accurate estimate of a likely cost has been provided, a cost therefore cannot be stipulated in the plan.

Modern working practices and regulations will ensure that the amenity and health and safety of local residents is unaffected by the development. This is something that will be considered in more detail at the time of a planning application, but it is likely planning conditions would be imposed to safeguard local resident's amenity.

In terms of any increase in pluvial flood risk to existing properties, again this is something that will be considered in more detail at the time of a planning application. It is likely that given the scale of the site a Flood Risk Assessment and Drainage Impact Assessment will be required. Development will only be permitted to proceed if such studies and any mitigation subsequently required is considered satisfactory to the Council, SEPA and/or Scottish Water. Furthermore sustainable urban drainage methods will also be required to be used.

The site will therefore continue to be allocated in the plan.

MU4/5 – Preferred in MIR

Large parts of both these sites are identified as being at risk from flooding on the SEPA

Indicative Coastal and River Flooding Map. Whilst the Council supported the allocation of these sites at MIR stage a compromise is suggested to reduce area to the southern sections of the sites, therefore excluding those areas at greatest risk flooding. The plan text will include a requirement for a food risk assessment. It will also include text to require space for restoration and development of natural processes in the future.

ALTERNATIVE SITES AND USES CONSULTATION

Details of those submitting comment to this consultation are not listed in this document.

House of Rosskeen and Grounds – Non-preferred in New Sites Consultation

The House of Rosskeen lies to the north of the existing Invergordon settlement boundary as shown in the Ross and Cromarty East Local Plan. It is separated from the town by a wide green buffer, consisting of open ground and mature trees. The house lies within an extensive area of inventoried Ancient Woodland and open ground on which housing is proposed. For the avoidance of the doubt The House of Rosskeen is not listed by Historic Scotland as being of any special historic or architectural interest. Several sites contained in the Council's Historic Environment Record lie within the site, notably the site of the former Invergordon Castle. Two cottages, known as Castle Cottages, lie close to the northern boundary of the woodland. These cottages appear to have been inhabited until fairly recently. Ruins of a further cottage lie close by to the east.

The site was non-preferred during the New Sites Consultation for number of reasons, including that the site is an area of significant archaeological interest, potential impact on ancient woodland; that it was beyond the existing defensible settlement boundary and there was a preference for consolidation of the settlement prior to expansion.

Having given the site further consideration including the representation in support of the site it is now considered that carefully controlled development of the site by means of a housing allocation in the plan is appropriate. Archaeological and woodland interests can be protected by means of supporting studies and planning conditions. Furthermore text in the plan will specify that the ancient woodland must be retained. The Council also intends to adopt as supplementary guidance a future developer led masterplan or produce its own development brief for the site that will build on these requirements further. It is also felt that given the southern parts of sites MU4 and MU5 are intended to be retained in the plan it would present a balanced expansion to the settlement. Furthermore given the significant jobs growth predicted in the Ross-shire area it is important to allocate a generous housing land supply in the area.

OTHER ALTERNATIVE SITES AND USES

The following sites were suggested in representations but were not consulted upon as part of the formal alternative sites and uses consultation. This was due to scale/type of uses of proposed and/or the potential effectiveness of site.

Former Garden Centre on High Street

The building formally used as a garden centre on Invergordon High Street is now utilised as a beauticians. The building is however of a basic garage style design and lies within a larger site with a number of vacant/underused areas. The site occupies a key location on the High Street and the positive regeneration of it would contribute to improving the vitality

and viability of the town centre. Rather than being limited to housing it is considered that a vertical mix of land uses would be most appropriate on this site, with retail or another commercial use on the ground floor and housing above. The Invergordon settlement text in the proposed plan will highlight regeneration opportunities in the town centre.

Former Bone Mill on High Street

The former Bone Mill at the eastern end of Invergordon High Street comprises three large historic warehouse buildings. The most westerly building is currently occupied as a restaurant and hot food takeaway and the most easterly building is utilised as a car garage/tyre centre. The central warehouse is currently vacant and in a state of disrepair. A vacant site also lies to the west of the former Bone Mill, it comprises rough ground and appears to be used as a temporary car park.

The sites are not identified for any particular use in the Main Issues Report, however they do lie within an area that is defined as the Invergordon 'commerce centre' in the MIR. The Ross and Cromarty East Local Plan (identified as site reference 4 on the Invergordon inset map) makes reference to the site being derelict for some time and supports the community's desire to develop it as a heritage centre. It also makes reference to the adjacent site at Shore Road (identified as site reference 3 on the Invergordon inset map) being suitable for a variety of uses. It states that relocation of the garage, together with the inclusion of the old bone Mill would create a larger site offering much wider opportunities. Possible uses include retailing, community and tourism uses.

The Community Council have expressed a desire for the former Bone Mill to be allocated for retail/housing use. The landowner supports the extent of the commerce centre boundary and calls for support for town centre health and the need for flexibility in assessing proposals for new uses. In response to the Call for Sites exercise on this plan the landowner considered that in addition to the possible uses identified in the Ross and Cromarty East Local Plan housing, housing for the elderly and a care home facilities should also be acceptable.

The site comprises a key regeneration site in Invergordon town centre. Redevelopment of the site provides the opportunity for improvements to the appearance of the town centre. It is considered the site is suitable for a number of town centre uses including retail, community, tourism, mainstream housing and housing for the elderly and care home use. Given the sites accessible town centre location and heritage and potential to be a tourist attraction to capitalise on cruise ship berths and therefore potential to contribute towards improving the vitality and viability of Invergordon town centre it is considered the site is most appropriate for mixed uses. The settlement text for Invergordon will highlight this opportunity.

Former Coal Yard

Since the publication of the MIR planning permission (ref: 13/00580/FUL) has been granted for the erection of 12 flats with related parking and landscaping at the former coal yard in Invergordon. However given the size of the site it is not considered appropriate to allocated it for a specific use. It will therefore be shown as 'white land' in the plan.

Quarries

Two permitted sand and gravel quarries lie to the north of Rhicullen/Newmore, the Invergordon Sand and Gravel Quarry directly north and Heathfield Quarry to the north east. They were granted permission for sand and gravel extraction in 2005 and 2000 respectively. Both appear to be under extraction, although the extent of which is unknown. Policy 53: Minerals in the Highland-wide Local Development Plan outlines the Council's support for extensions of existing minerals operations/sites; therefore provision is already made for the expansion of the quarries as there would be support in principle for the expansion of the existing sand and gravel quarry without the need for a specific allocation or safeguarding in the Inner Moray Firth Local Development Plan. Furthermore as no indication of any likely expansion area has been provided this precludes allocating/safeguarding this of this specific site. Restoration/reinstatement does not need to be specified as it would be a condition of any successful planning application.

Recommended Proposed Plan Content:

- The Proposed Plan text and mapping is available within the Committee papers
- In summary, the following MIR sites are retained:
H1, H7, I2, I3, I7, MU2 and MU3
- The following MIR sites are retained but the size and/or use of the site has been modified:
MU1, MU4, MU5
- Remaining MIR sites are not retained / recommended for inclusion
- The following new site is recommended for retention within the Proposed Plan:
House of Rosskeen and Grounds

Issue	Muir of Ord	
MIR reference:	7.30	
List of persons and organisations who submitted comments (including reference number):		
Anonymous 10 (01342), Anonymous 2 (01334), Anonymous 3 (01335), Anonymous 9 (01341), Councillor David Chisholm (00537), Fraser Maclean (00630), Gilmar Green (01135), Iah Dempster (00629), Linda And Alastair Bell (01147), Lochluichart Estate North (00916), Mackay, Robertson And Fraser Partnership (00962), Mr And Mrs James Milne (00939), Mr And Mrs Nicholson (01014), Mr And Mrs PN Moore (01275), Mr David Martin (01207), Mr Jim And Maureen Thomson (00872), Mr John D Murrie (01182), Mr M And R Grant (00860), Mr William Sutherland (00782), Mrs Annabel Maclean (01133), Ms Catherine Hamilton (01137), Muir Of Ord Community Council (00308), Scottish Environment Protection Agency (00523), Scottish Natural Heritage (00204), The Iain Elliot Partnership (00781), The Scottish Government (00957), To The Occupier (01148)		
Summary of comments received:		
General		
<p>Respondent supports the key development issues identified for Muir of Ord.</p> <p>Considers existing housing sites within settlement development area are adequate without developing additional areas given the remaining school capacity and limited facilities in the village.</p> <p>Requests settlement-wide developer requirement for great crested newt survey and protection plan and for reptiles.</p> <p>The railway line to the northern extent of the settlement boundary should be excluded from the settlement boundary , in the area adjacent site H7 to indicate that no potential exists for vehicular access can be taken by crossing the railway line, and is only achievable from Balvaird Road.</p> <p>In addition to the key development issues outlined in the MIR, the following are community aspirations which should be explicitly supported in the Plan:</p> <ul style="list-style-type: none"> - Fulfilling the community aspirations expressed through the Muir of Ord Big Picture Consultation - Supporting the redevelopment and re-use of derelict properties within the village - Improving road safety through village, both before and after delivery of the replacement bridge over the railway line - Supporting young people to live in the village by ensuring that a sufficient supply of affordable housing is available to local people - Enhancement of social and leisure facilities, e.G. Sports facility, café, meeting hub, to address the needs of the growing population of the village - Safeguarding of existing and development of new short distance safe active travel routes to and from the centre of the village and developing long distance active travel routes to 		

and from Dingwall (via Conon Bridge), Beauly and Inverness (via the North Shore of the Beauly Firth)

Area is drawn in error on map: includes several private houses between West Road and the Filling Station. Area across from Filling Station is Industrial Estate, not Retail, and should also be excluded the commercial boundary. The Community Council is supportive of keeping retail development to the village centre to protect fragile economy of village shops.

Muir of Ord needs a community facility in village centre i.e.. A community hub. The Council should support the proposal for a cafe and heritage centre at the Old Tarradale School.

Wishes to see a sports barn, play park and expansion of the skate park in Muir of Ord in association with a separate area for bikes.

Concerned about the condition and number of derelict buildings on the High Street; road bridge over the railway; loss of old folks home; unfinished housing developments, traffic congestion, parking and road safety.

Comment that Plan should give a housing land requirement for each major settlement including Muir of Ord over 2, 5 year periods. Believe that the major settlements should accommodate all of the Mid Ross housing market area requirement and that Muir of Ord should accommodate 20% of this equating to land for 221 houses in the 2011-2015 period and 194 houses in the 2015-2020 period. Believe that the available and preferred housing sites only have a capacity for 293 units and therefore there is a shortfall of land for 122 units.

A key development issue should be to encourage development and re-development to be focussed on the centre of Muir of Ord in line with "enhancement of the town centre".

The respondent is concerned that the natural environment should receive sufficient protection.

Settlement Development Area

The settlement boundary of Muir of Ord should be amended (as outlined in red in the attached map) for the reasons stated below;

- areas of recreational land, the Lily Loch and the adjacent woodland are all of significant local amenity;
- these areas should be included in the Settlement Boundary and protected as green space;
- housing development would not be suitable due to the contaminated land area
- the current Ross and Cromarty East (RACE) Local Plan includes these areas.

The outflowing stream from the Loch Gunn Toin area flows into the Lily Loch. This stream is included within the settlement boundary in the current Local Plan and should continue to be included.

Sites

B1

Supportive of safeguarding showground for existing uses and encouraging further all year round tourism and amenity use.

C1

Not supportive of generic housing development on this site. The potential for sheltered housing in association with the new Urray House development could be supported.

The loss of green space on this site is important to the residents of the care home and the community as a whole.

H1

No comments received.

H2

Local importance, heritage and character of Market Stance and surrounding cluster of houses e.g. Bank House, Auctioneer's House.

Used greatly and advertised as additional training/practice course by Golf Club; specifically allocated for use by children who are not yet allowed on the main course; and used for ClubGolf Programme.

The Community Council are not supportive of housing development, but would support the site being designated as green space for continued use by the Golf Club.

H3

Not supportive of generic housing development on this site. The potential for sheltered housing in association with the new Urray House development could be supported.

The loss of green space on this site is important to the residents of the care home and the community as a whole.

H4

This area is a locally important geological feature (- Field is formed largely of two small hillocks; glacial drumlins of some geophysical significance)

visually pleasing open space due to it's location at the gateway to the village. It has amenity value with generations of kids traditionally using it for sledging.

The site is comparatively distant from the centre from the village.

There is no pavement to the centre of the village.

No Flood Risk Assessment required

H4 - Object to any development, this site is a landmark geological feature within the community.

- Drainage issues

- Road safety
- Negative impact upon attractive natural and built heritage features that form gateway to the village
- Appearance of affordable housing once occupied due to excessive numbers of vehicles and unmaintained gardens
- Impact upon respondent privacy;
- Site is not allocated in existing local plan;
- Ribbon infill would detract from the area because of its elevation; and
- Would have a negative impact upon feeding sites of wildlife including buzzards, red kites and deer.
- Views from house north over trees and grazing towards Ben Wyvis are precious to respondent;
- Existing allocated sites meet housing need – one large site is incomplete presumably waiting for the need to arise;
- Outside settlement boundary;
- Dangerous access and egress from A862;
- No adequate water, drainage and sewage capacity;
- Recognised flood risk area;
- Further strain on villages already inadequate services and infrastructure, particularly roads and parking;
- Would set a precedent for further development outwith Muir of Ord; and
- Not compatible with existing stables, hotel and 'The Meadows'
- A planning application for housing has been refused in the past.

The amenity value of the site is appreciated but seek clarification on the importance of this feature and is this strong enough to warrant safeguarding from development.

At the last Local Plan PLI there was no mention of the no mention of the hillock as a feature with the principle reason for non-inclusion being the existing availability of an effective housing supply.

Council stated that " a designation may be possible at some future stage under a subsequent local plan review".

Would also ask if limiting the extent of development would be more acceptable.

- Local residents near H4 experience water drainage problem in periods of heavy rainfall with ponding on the A862 and run-off down The Meadows, Ord Road and Chestnut Drive. These roads offer rising access to the A862 which together with the existing conditions of drainage and poor visibility, offer challenging exits.

School children would be likely to use the footbridge over the railway on their way to Tarradale Primary School and respondent questions if this would constitute a desirable element in a safe route to school.

concerns about the bridge's deteriorating condition and weight bearing capacity.

- Potential coalescence with housing group at Home Farm junction.

H5

Support the retention of the lower part of the site as open space, wetlands and suds basin where there is a risk of flooding. Also support the continued allocation for housing in line with the approved development.

SEPA have no objection provided the findings of the FRA are followed - no development in flood risk areas. Drainage needed further consideration when we were last consulted in 2007 but a matter for the Council.

Site is partly constructed. Reference to open space is erroneous as the area is wetland, Suds basin and access roads.

Respondent objects to preferred status of H5 due to past and present issues with flooding/drainage on the site (see original rep for specific details/photos).

H6

Concerns re possible adverse effect on area of mixed woodland within site. Cites national and Highland policy protection for such woodland. Wants evidence of over-riding public benefits, no alternatives, loss minimisation, pre-determination species survey and high standard of compensatory planting. Believes there are many other more suitable sites within settlement.

the road serving the site is single track in poor condition and has a high volume of traffic.

Changes to the topography would increase flood risk downhill

site will have impacts as is visible from the village High Street.

There is no mains sewerage available to the street.

Site is a combination of bog and scrub served by a heavily used single track road.

This site consists almost entirely of woodland which would be lost if developed. There are

no footpath connections to the settlement and the road would also require widening, on land in other ownerships.

Respondent questions how adjacent land to the site (assumed H6) has been suggested as this is outwith the Local Plan area.

H7

Would allow for more appropriate and favourable development than H4, H6 or H9 and meet housing need as outlined in Highland Wide Development Plan.

Need to address capacity of Balvaird junction, which would face increased pressure.

There are 3 different landowners on this site, a masterplanned approach would be required to address issues relating to the development of the site. This is likely to compromise a masterplanned approach and limit development to the southern frontage to Balvaird Road.

Any extension to the number of units on site would be dependant on compliance to current planning conditions. Would object to any increase in numbers on this site.

H8

Development on this site near completion so not necessary to allocate in plan.

SEPA do not object. Flood risk should be considered as part of the drainage proposals for the development in consultation with the Council.

Any extension to the number of units on site would be dependant on compliance to current planning conditions. Would object to any increase in numbers on this site.

This development is substantially complete and is unlikely to contribute towards the land supply for the 5 year period of the plan.

Respondent objects to past and present development on H8 due to the flooding/drainage impact it has had on his land. It is believed that the site was previously an extension of the Ord Lochans and acted as a basin to the surrounding area.

H9

Supports non-preferred of site because of potential adverse effect on Inventory woodland.

This area is long established woodland with a variety of wildlife e.G. Red Kites, Pine Martins, Woodpeckers, Badgers, red kites, woodpeckers, red squirrels, roe deer, pine martins and badgers

Three water ways running through site, which is boggy and has potential for flooding.

No suitable access to site from A862.

The site lies outwith the settlement boundary and would set a precedent for further un-

needed extension to Muir of Ord.

The site has a lack of safe travel routes and distant from services in centre of village. Development here would risk social coalescence with the cluster of houses at the Home Farm junction.

The boundary should be retained as a natural boundary preventing further extension of the residential envelope.

- Drainage
- Loss of privacy, and amenity
- The proposed development being out of keeping with the design and character of the area by siting, size and design
- Its adverse impact on the visual amenity of the area
- Concern about the relationship of layout and siting to adjoining building, spaces and views
- The inconsistency of proposed houses with the existing building line
- there is a legal right of access they have to this site for service of soakaway and emptying the septic tank
- No economic argument for this site with the sites allocated for housing in the village
- The impact this development will have on stretched local amenities including the school and doctors
- Scottish Hydroelectric Power System plan shows that the high voltage line (not a single low voltage line) passes through the whole site and the respondent is concerned about the setback and safeguarding constraints this will have on the proposal
- Likely to be an 'up market' scheme of executive dwellings which would be out of character with Victorian dwellings nearby, even when shielded by a few trees; and
- To remove green lung from north of the village, whilst other areas are planting new trees is a backward step.
- Views from house north over trees and grazing towards Ben Wyvis are precious to respondent;
- Dangerous access and egress from A862;
- No adequate water, drainage and sewage capacity;
- Recognised flood risk area;
- Further strain on villages already inadequate services and infrastructure, particularly

roads and parking;

Re-states the request for the inclusion of housing development land at H9 and the detailed development potential should reflect the framework plan submitted to the Call-for-Sites request.

This framework is re-submitted and indicates the retention of important amenity woodland alongside the provision of path connections to existing developments to the south. It was previously stated that the development would be developed in a woodland setting.

In light of comments regarding the housing land supply "preferred" sites in Muir of Ord will be limited to the remaining land at Broomhill (H5) and the Wards (H8) together with MU2, part of H7 and the smaller sites of H1 and H2. Site

- road access would be from the A862, Beauly to Dingwall road which is also a bus route;
- there are opportunities for remote foot/cycle path connections from the existing housing development to the south;
- foul drainage will be to the Muir of Ord system and works with capacity for 580 housing units equivalent; and
- water supply is available from the local network and WTW with capacity for 2000+ housing units equivalent.
- no part of the site is shown to be in the SEPA 1 in 200 year flood risk area;
- no part of the site is Prime quality agricultural land;
- the areas of woodland are not protected by a TPO;
- although appearing to have a Semi-Natural and Ancient Woodland designation, subject to a conditions survey, the woodland will largely be maintained to help integrate future development into the landscape and maintain the local amenity of the area;
- a single low voltage power line passes through the southern part of the land, which could be undergrounded or diverted or alternatively development setback and safeguarding distances maintained from this; and
- development of the site will not affect any areas with built, cultural or natural heritage qualities
- housing will require compliance with the Council's affordable housing policies and developers will make contributions towards improved education facilities, public transport infrastructure and active travel connections; and
- a considerable area of amenity woodland and open space along the watercourse will be made available to the wider community for informal recreation purposes with connecting paths.

- the land is located within 1.2 km of the railway station, village centre and key existing community facilities such as the primary school, library and village hall;
- the Ord Arms Hotel is within 400 m of the site;
- there is potential to develop a network of remote paths connecting to the existing network to the south; and
- a local bus service presently runs along the A862 road adjacent to the site with an opportunity to provide a bus lay-by/stop and shelter along the main road.
- School children would be likely to use the footbridge over the railway on their way to Tarradale Primary School and respondent questions if this would constitute a desirable element in a safe route to school.

Concerns about the bridge's deteriorating condition and weight bearing capacity. Tarradale Primary School has little or no spare capacity and concerns about capacity of local doctor's surgery.

I1

Concerns re possible adverse effect on area of woodland within site. Cites national and Highland policy protection for such woodland. Wants evidence of over-riding public benefits, no alternatives, loss minimisation, pre-determination species survey and high standard of compensatory planting. Believes woodland also performs an important green network connectivity function.

Need for area to expand industrial estate for local businesses which provide employment.

Loss of woodland and car park for Black Isle Show.

MU1

Requests HRA conformity check re potential adverse effect on Inner Moray Firth SPA re connectivity between geese feeding areas and designation.

Housing on this site would be far from the centre of the village

Would require significant developer investment in a safe "active travel" route to the village centre and the school, without requiring crossing the main road.

Coalescence to Windhill, which is a separate housing group outwith the Muir of Ord settlement boundary.

Not appropriate for retail as it is outwith the commercial boundary and would split the village.

The standing stones are an important heritage feature and would have to be safeguarded as part of any developments design.

Continued agricultural use would be preferred in the absence of development proposals.

Housing on west and Industrial use on east side of main road would provide a clear separation of land-usage, fit sympathetically with existing Cairns housing development, and provide the best solution in terms of visual amenity.

Visual amenity is an important aspect when considering the use of this site, which is the entrance to the village from Beaully and already has the Industrial estate on the opposite side.

Southern boundary to be amended to exclude southernmost existing field to leave standing stones in field setting & protect separate identity of Windhill settlement.

Site is not close to local facilities/amenities.

Site must contain elements of open space for active recreation.

Standing stone within the site needs to be protected alongside a full archaeological survey.

An outline masterplan should be provided to support inclusion of development site.

This site is more distant than H9 from the village centre and related facilities, including the primary school.

This site may be more appropriate for business/light industrial uses given likely opposition to the inclusion of the northern extension of I1 by the Black Isle Show Society.

Historic Scotland (HS) state that this allocation contains the scheduled monument Windhill, standing stone N of (Index no. 3128). HS suggest that developer requirements should require an appropriate area be left around the monument in order to protect its immediate setting.

Indicative masterplan proposes the following uses:

- >3 hectares business and office use and general industrial/workshop – help address shortage of such space in the area;
- >3 hectares houses – maximum of 49 units, likely to be a low density development of family homes;
- Space for new community facility – reflects Muir of Ord Community Council project; possibility for path networks; indoor sports facility or communal building on site, approximately 0.6 hectares;
- Approximately 3 hectares amenity space – likely to be located to the south, opportunity to create gateway to the village and manage coalescence with Windhill, active travel links will be provided; and
- Local convenience retailing – small scale, intended to be ancillary to other uses.

Considers proposals for the site to be consistent with the Vision and Spatial Strategy for the Inner Moray Firth in the HwLDP and policies 28, 41, 34, 40 and 32.

Site would also help meet housing demand.

Market evidence indicates that Muir of Ord will continue to be an attractive place to live.

In relation to industrial land notes that Muir of Ord Industrial Estate is reaching capacity and the preferred expansion site shown in the MIR is constrained for reasons of land ownership and assembly.

MU1 will help to ensure adequate land, which is highly accessible, is effective and available for housing and business use.

MU2

Significant improvements to surrounding area eg. Black Isle Road, would be required for safe pedestrian access.

Developer would need to create safe "active travel" routes into village centre.

No real mixed use is being proposed or suitable, if approved should be designated as housing only.

SEPA do not object. Recommend drainage and flooding be considered as part of the drainage strategy for the site.

Site is contained within existing Local Plan but has significant road traffic and pedestrian issues that need to be overcome prior to re-inclusion of the site.

Community use should be to west of site to tie with adjacent development with access taken to east of site to avoid conflict with access of existing development.

As a gateway site this development should reflect the density of neighbouring developments.

Concern over the proximity of site to potentially contaminated land.

Supports principle of development but wishes as landowner a housing only allocation with capacity for 120 units because the site is already allocated for housing development in the adopted local plan and that its suggested layout is logical and feasible.

Support for a higher density housing allocation on site MU2 and a confirmed housing allocation on site MU3.

MU3

Supports non-preferred of site because of potential adverse effects on great crested newt habitat and woodland.

Considering other proposed developments this would be excessive to housing need as it would be a large scale development with potential for 200- 300 houses.

Too much expansion too soon.

Black Isle Road and junction between A862 and A835 would need considerable improvements. Proposed housing would be out with settlement boundary.

The watercourse leading into Lily Loch should not be disrupted.

For clarity, this should be treated as two sites: (Non-Preferred) Housing and Safeguarded green space for community use, which had been included in previous RACE Local Plan. Supportive of green space not supportive of housing.

SEPA do not object. Recommend drainage and flooding be considered as part of the drainage strategy for the site.

Support the Council's non-preferred status of this site, and developable land on this site lies outwith the existing settlement boundary, remote from the town centre with significant pedestrian issues.

There are protected species inhabiting the western half of the overall site.

The site lies in the most logical direction for short, medium and long term growth

close to Muir of Ord town centre and the primary school with good active travel accessibility;

it is not affected by flooding or other constraints that affect other Muir of Ord site options;

the amenity area around Loch Gun Toin would not be developed and be made more accessible for wildlife and people as a green network;

the settlement boundary would be rounded off once adjoining had been developed.

the site's development would allow an improvement to the B9169/A832 to be made.

ALTERNATIVE SITES AND USES

Please note that the names and reference numbers for comments submitted on this specific consultation are not listed in this document.

Through the consultation on the Main Issues Report further sites have been submitted to the Council for inclusion in the Local Development Plan. Consultation on these additional sites took place between April and July 2013. The following are the comments which were received during that time.

NS22 – Land South West of Muir of Ord

SNH question whether it is appropriate to remove preferred status from H6 if this site is allocated.

Respondent questions the deliverability of the site which was previously allocated in the RACE plan but has not been brought forward. The Housing Land Audit identifies the site as being constrained due to landownership.

NS46 – Tomich House

Respondent supports the suggesting that it could meet the demands of a niche market and would be have no impact on services or landscape quality.

SNH request a species survey, consideration of impact on woodland around the edge of

the site and compensatory planting.

NS130 – Glen Ord Distillery

Request for a great crested newt survey if further development is brought forward.

SEPA do not object if the site is accompanied by a flood risk assessment

The site may have impact on the A832/A9 junction.

Council's summary of responses to comments:

General

Population, Housing and Infrastructure Capacity

The preferred sites (as shown in the Main Issues Report) have a capacity of approximately 480 (176 of these have planning permission, 104 are currently at planning application stage and the remaining 190 are indicative based on the indicative capacities of the Ross and Cromarty East Local Plan or, if it is a new site, an assumption of 20 dwellings per hectare density). There have been a total of 28 completions at site H8 and 31 at site H5 to date.

In the Mid-Ross Housing Market Area (HMA) there is a requirement for 3,530 for the plan period. The spatial strategy for the Inner Moray Firth primarily directs growth to the Ross-shire (Dingwall – Tain) and Inverness-Nairn. While Muir of Ord falls outwith this growth corridor there is significant potential for the settlement to grow in the medium to longer term and consideration will be given to inclusion of Muir of Ord within the growth area.

While this is the case, following further consideration of the issues relating to these sites it is not considered that all of these sites could be considered "effective" within the plan period. The Proposed Plan will set out the housing land availability for the first 5 years, 10 years and then a 10-20 year period for the wider housing market area

The following outlines the infrastructure capacity in the settlement to support development:
Water – There is a capacity of over 2000 house unit equivalent. In the short term there is sufficient capacity and after engagement with developers and The Council, sufficient capacity will be delivered via investment for longer term development.

Waste Water – There is capacity for 564 house equivalent. In the short term there is sufficient capacity and after engagement with developers and The Council, sufficient capacity will be delivered via investment for longer term development.

School - If all development identified as preferred in the Main Issues Report is bought forward. It is considered that Tarradale Primary School will be over capacity. However, the Council have an established policy to collect developer contributions from new residential developments. These contributions will be used to mitigate the impact of development on the primary school, this could be done in a number of ways which could include extensions to the school.

With regard to condition of the railway bridge, the bridge is programmed to be replaced within the lifetime of the plan which will address the current traffic issues and projected increase in traffic over the bridge.

Natural Heritage

Policies of the Highland-wide Local Development Plan (and associated Supplementary Guidance will ensure that the environment receives a sufficient level of protection. To identify suitable mitigation the Inner Moray Firth Local Development Plan has been subject to Strategic Environmental Assessment and Habitats Regulations Appraisal. The findings of these assessments will be built into the Plan.

It is considered that in the interests of protecting and enhancing the habitats of Great Crested Newts in this area that a survey should be provided as part of any planning application in Muir of Ord which contains or is close to a water body to determine the presence of Great Crested Newts on the site and any required mitigation.

Settlement Development Area Modification

An access to site H7 from Great North Road across the railway is not considered viable for the potential level of housing on site H7. In addition it is unlikely to be supported by Network Rail. Therefore, given the location of the modification proposed, it not considered appropriate to change the settlement development area boundary for the reasons stated.

The suggested modifications from Muir of Ord Community Council to the settlement development area (SDA) are considered acceptable and the request for areas of open space to be protected in line with these modification fit the criteria for identification in the plan. As such it is proposed the SDA is modified to include these changes.

Inclusion of further "Development Issues"

The additional development issues suggested all have merit. The majority of them can be addressed though inclusion in the plan as developer requirements (road safety improvements, active travel routes) or are addressed by general policies of the Highland-wide Local Development Plan (provision of affordable housing). However, some of the more aspirational development issues which have been put forward can only be flagged up in the introductory text for the settlement and can not be put as developer requirements as they are not necessarily items which can be addressed by the Planning System and would be better led by the community working in partnership with other services within the Council or other agencies.

Commercial Area Boundary

The inclusion of housing in the commercial boundary is noted and the commercial boundary will be revised to reflect this comment in the proposed plan.

Community Facilities

The Council are supportive of the development of a community hub by the community at the Old Tarradale School. This can be referenced in the text of the plan, however given the size of the proposed development and movement on this since the publication of the Main Issues Report it is considered that this is at a sufficiently advanced stage and that a proposal of this nature can be determined through the general policies of the Highland-wide Local Development Plan.

The aspiration for a sports barn, play park and expansion of other play facilities in the settlement are acknowledged and supported. The enhancements to the existing facilities and provision of new facilities can be included in the plan as developer requirements. The development of a sports barn is a proposal which would be supported by the Council but

without firm plans for delivery it is not something that is considered appropriate to be included in the plan at this time.

Sites

B1

The Mansfield Showground plays a significant role in Muir of Ord and has a growing reputation for large entertainment events.

With that said, it is not considered that there is a need to specifically identify it for its current use but include it within the Settlement Development Area to allow development of the facilities at the site to continue to be supported. There should be a reference in the text to the important role the Showground plays in the village.

C1

Since publication of the Main Issues Report the proposals for a new care home to replace Urray House has been permitted and the Council are moving forward with it's construction, with a view to it being opened in April 2014. At the time of writing, no land use has been put forward for the site of the existing Urray House.

Given the above, it is considered that there is no need for the allocation of this site in the proposed plan.

H1

No comments have been received on this site.

Given the size of this site it is proposed that it is not allocated in the plan but shown as "white land" within the Settlement Development Area facilitating the delivery of a small scale housing development on the site which would be judged against the policies of the Highland-wide Local Development Plan.

H2

The heritage and amenity value of this location is acknowledged. The development of this land has been informally discussed with the golf club and there are no plans to develop housing on this site in the short term. As this is the case the land will be shown as greenspace in the proposed plan.

H3

See response to site C1 above.

H4

Geological Feature

While the drumlins on this site are of local importance as a geological feature it is not covered by any designations.

Gateway to the village.

This site does form a green gateway to the settlement on the approach from the North on the Great North Road. Any development on this site is likely to lead to a change in the

visual amenity as you enter the settlement, however through a high quality design a development on this site could be made to fit the landscape appropriately and create an interesting gateway to the settlement.

Connections to Settlement Centre

It is appreciated that the proposed development site is comparatively distant from the centre from the settlement it is closer than some other housing development already in existence. The delivery of a footpath into the centre of the settlement and development of safe routes to schools could be developer requirements if this site was allocated.

School children would be likely to use the footbridge over the railway on their way to Tarradale Primary School and respondent questions if this would constitute a desirable element in a safe route to school.

Flood Risk and Drainage

Drainage issues it is recognised that there are some drainage issues surrounding the site. If this site were to be allocated any planning application would be required to include a Sustainable Drainage System (SuDS) Plan.

SEPA have suggested that no Flood Risk Assessment required and the site is not within the 1 in 200 year indicative flood risk area. It may be that the site is affected by pluvial flooding however we have no records of this.

Road Safety

A suitable access solution would have to be brought forward to accompany any development on this site. The road access would have to accord with the Highland Council's Access to Single Houses and Small Housing Developments Guidance including the appropriate levels of visibility from the access. There is potential that the 30mph zone would require to be extended.

Impact on Private Interests

Issues such as impacts on an individuals view are not material considerations in the planning system. Any planning application on the site will be assessed in terms of amenity impact on existing residents.

Landscape and Visual Impact

Development on this site could lead to a greater risk of coalescence with existing housing groups to the north. However as the site is bounded by a farm and associated buildings to it is not considered that this is such a risk on this site as to development on the western side of the road.

Natural Heritage

Any development on this site would be required to accord with the general policies of the Highland-wide Local Development Plan with regard to the natural heritage. This would include the production of the appropriate surveys and identification of and carrying out suitable mitigation.

It is proposed that the site is not allocated, as the site is considered too small to allocate, the site is considered to have an amenity value and the open character of the site at present provides a green gateway to Muir of Ord from the North.

H5

This site already has planning permission, which has been implemented, and as such the principle of development has been firmly established.

The retention of the lower part of the site as open space as per the planning permission for the site should be reflected in the Proposed Plan.

With regard to the risk of flooding on the site wording will be inserted as a developer requirement to ensure that, if any new application is brought forward in the future, that the findings of the Flood Risk Assessment are followed.

Any localised flooding which is being experienced due to development on this site is an enforcement issue related to the planning application and can not be dealt with through the Local Development Plan process.

It is proposed that the site is allocated in the proposed plan with a modified boundary reflecting the lower area of the site being retained as open space as per the implemented planning permission.

H6

Natural Heritage

While the majority of the woodland on the site has been removed there is still potential for a range of different habitats to be present on the site, therefore the relevant surveys will be written into the plan as developer requirements if this site is allocated.

Access

A suitable access solution would have to be brought forward to accompany any development on this site. The road access would have to accord with the Highland Council's Guidance including the appropriate levels of visibility from the access. Depending on the scale of development road widening and provision of footpaths may be required. However the provision of footpaths may be best suited to the creation of remote footpaths rather than road side to facilitate their delivery.

Visual Impact

It is recognised that development on this site may be visible from High Street. As such a high standard of design would be required and appropriate siting to ensure the development does not have a significant adverse impact on the landscape.

Infrastructure

In accordance with policy of the Highland-wide Local Development Plan all new development must connect to the public water and waste water network.

Flood Risk

Changes in topography and the increased use of hard surfacing are factors which would affect flood risk. Any new development would be required to connect to the public waste water network and include a suitable SuDS scheme to ensure the appropriate level of drainage to mitigate the increased risks.

Due to the site being at the edge of the settlement, with the potential to have an effect on

the habitats on the site, it is proposed that the site is not allocated for housing at this point.

H7

Landownership

It is accepted that a masterplanned approach would be most suitable to bring forward development on the site to ensure delivery of development. If this site is allocated it would be a developer required that a strategic masterplan is prepared prior to the development of the site.

Access

There are concerns with the capacity of Balvaird junction, at present and if this development were to proceed. There is some scope to bring forward improvements to the junction to increase its capacity., some of which are planned to proceed with the refurbishment of the railway bridge.

It is considered that at this point the landownership issues with regard to this site are difficult to overcome. Until the time that these are addressed this site would not be considered effective and as such it is proposed that this site is not allocated in the plan.

H8

This site already has planning permission, which has been mainly implemented, and as such the principle of development has been firmly established.

Any localised flooding which is being experienced due to development on this site is an enforcement issue related to the planning application and can not be dealt with through the Local Development Plan process.

Given that there is significant capacity still available in this site it is proposed that the site is allocated in the proposed plan.

H9

Framework Plan

The boundary of the site as shown in the Main Issues Report was consistent with that submitted at the call for sites stage. It is acknowledged that the framework plan gives a greater level of detail, however showing this would be inconsistent with the approach taken elsewhere in the Main Issues Report. If the site were to be allocated then provisions of the framework plan would be reflected either through the use of text or through mapping.

Gateway to the village.

This site does form a green gateway to the settlement on the approach from the North on the Great North Road. Any development on this site is likely to lead to a change in the visual amenity as you enter the settlement, however through a high quality design a development on this site could be made to fit the landscape appropriately and create an interesting gateway to the settlement.

Flood Risk and Drainage

It is recognised that there are some drainage issues surrounding the site. If this site were to be allocated any planning application would be required to include a Sustainable Drainage System (SuDS) Plan.

SEPA have suggested that no Flood Risk Assessment required and the site is not within the 1 in 200 year indicative flood risk area. It may be that the site is affected by pluvial flooding however we have no records of this.

Road Safety and Access

A suitable access solution would have to be brought forward to accompany any development on this site. The road access would have to accord with the Highland Council's Guidance including the appropriate levels of visibility from the access. There is potential that the 30mph zone would require to be extended.

A bus service passes the site and, if this site were to be allocated, a developer requirement for bus layby/stop provision would be appropriate to maximise opportunities for sustainable travel.

It is appreciated that the proposed development site is comparatively distant from the centre from the settlement it is closer than some other housing development already in existence. The delivery of a footpath into the centre of the settlement and development of safe routes to schools could be developer requirements if this site was allocated.

Impact on Private Interests

Issues such as impacts on an individuals view are not material considerations in the planning system. Any planning application on the site will be assessed in terms of amenity impact on existing residents.

One respondent raised issues over a legal right of access. This is a civil matter over which the planning system has no control.

Development of Settlement and Landscape and Visual Impact

Development on this site could lead to a greater risk of coalescence with existing housing groups to the north. The boundary which would be formed by woodland could form a barrier to physical coalescence but visual coalescence would be probable.

Concern has been raised over the location and potential design of the development. The design would be considered in detail at a planning application stage. If this site were to be allocated it would be subject to developer requirements being put in place to address design, access, landscaping and mix of housing.

Natural Heritage

Any development on this site would be required to accord with the general policies of the Highland-wide Local Development Plan with regard to the natural heritage. This would include the production of the appropriate surveys and identification of and carrying out suitable mitigation.

If the framework plan is followed, the woodland would be largely retained. With this said there would need to be an adequate setback from the trees and a range of surveys and mitigation would need to be brought forward in terms of root protection plans etc.

Constraints

Design and siting of appropriate uses development in proximity of high voltage overhead powerlines can be achieved. Development would be expected to follow the principles of

National Grid Guidance – Sense of Place. Therefore the location of the high voltage line may not be a significant constraint on the development of the site.

Green Network

While not formally identified the green network around Muir of Ord would be altered by development on this site. If the submitted framework plan is followed then the woodland on the site would be largely retained.

If this site was allocated, an Access Plan would be required setting out the existing and proposed path network. New paths in this area could have a wider benefit to the community in enhancing opportunities to access the outdoors and coming into contact with nature and natural environments.

It is considered that the site is long term in nature and there is sufficient housing land identified in Muir of Ord on sites which will have less of an environmental affect. While the safeguarding of the ancient woodland is recognised it is considered that other less environmentally constrained sites should be brought forward prior to the development of this site. The plan will however recognise that the future, long term growth potential of Muir of Ord is to the North of the settlement.

I1

The loss of the car park for the Black Isle Show is noted however there is sufficient other land in the area, and in close proximity of the showground, which would be used as a parking area.

The existing woodland is a constraint to development however through partnership working between the landowner, Highlands and Islands Enterprise and SNH it is considered that the opportunities for development could be realised without significant affect on the natural heritage of the site.

It is proposed that this site should be allocated in the proposed plan.

MU1

Mix of Uses

The development of the site for a mix of uses is considered appropriate due to the location of the site on the edge of the existing settlement and reflecting the surrounding land uses. However ensuring the mix does not have an adverse affect on other areas of the settlement.

The landowner has proposed a mix of business, housing, community and amenity space and local convenience retailing. This mix is largely supported through representations of others albeit some wish to see only housing (to reflect the Cairns development to the north) or only business (to reflect the industrial estate to the east). The scale of retail use will be key and a retail impact assessment will be required to demonstrate that it would not undermine the commercial centre of Muir of Ord.

Natural Heritage

SNH request HRA conformity check re potential adverse effect on Inner Moray Firth SPA re connectivity between geese feeding areas and designation. This will be undertaken and any identified mitigation will be included in the plan.

Settlement Development and Visual Impact

It is acknowledged that development on this site is some distance from the centre of the settlement, however it is considered that given the proximity to other housing and employment uses it is a suitable location for development. Active travel and public transport connections could be achieved allowing for safe and sustainable travel to community facilities in the centre of the settlement.

If this development was brought forward in its entirety there would be of coalescence with Windhill. However, it is considered that there is already an element of visual coalescence between Muir of Ord and Windhill given development on the eastern side of the road.

This site does form a green gateway to the settlement on the approach from the south on the A832. Any development on this site is likely to lead to a change in the visual amenity as you enter the settlement, however through a high quality design a development on this site could be made to fit the landscape appropriately and create an interesting gateway to the settlement.

Any residential development will be required to accord with the provisions of the Open Space in New Residential Developments: Supplementary Guidance and provide high quality, fit for purpose and accessible open space as part of any new development.

Access

It is considered that an appropriate active travel route is achievable to the settlement centre and the school. Given the location of the development there will be a need to cross a road, however this may be possible by augmenting the footpath which has been created for The Cairns development.

Cultural Heritage

The heritage of the Windhill Stnading Stone is acknowledged and as such sufficient setback of development to safeguard the setting of the standing stone will be a requirement of the proposed plan.

It is proposed that the site should be allocated in the plan for a mix of uses (housing, community, commercial, business) with developer requirements able to address all of the issues raised above.

MU2

Access

The pedestrian access from the site to the settlement centre and the school will be subject to discussion with a range of stakeholders however it is considered that a suitable connection is possible.

There are concerns with the capacity of Black Isle Road at present and if this development were to proceed. There is some scope to bring forward improvements to the junction to increase its capacity. Some of which are planned to proceed with the refurbishment of the railway bridge.

Mix of Uses

In the Main Issues report the site was identified for a mix of uses with a primary mix of

housing and open space. It is considered that as any new residential development will be required to accord with the Open Space in New Residential Development Supplementary Guidance, it would be more appropriate to allocate the site solely for housing. The Landowner has put forward a capacity of the site, however it is not considered that 120 houses are appropriate and a lower capacity should be identified.

Drainage

It is recognised that there are some drainage issues surrounding the site. If this site were to be allocated any planning application would be required to include a Sustainable Drainage System (SuDS) Plan.

Constraints

There are concerns over the proximity of site to potentially contaminated land from one respondent. Suitable site investigation works will be required prior to development of the site.

It is proposed that the site is allocated in the plan with developer requirements addressing the issues raised. It is proposed that the site is re-designated as housing only to accurately reflect the proposed uses on the site.

MU3

Natural Heritage

If this site were to be allocated there would be developer requirements regarding protected species and the need for a surveys and mitigation identified to be implemented.

The landowner has suggested that the amenity area around Loch Gun Toin would not be developed and be made more accessible for wildlife and people as a green network. This would be included as a developer requirement if this site is allocated.

Settlement Development

The issue of housing need is addressed earlier in this document.

It is acknowledged that the site lies in an area which is relatively close to the settlement centre and the community facilities, the provision of road improvements and active travel connections would be key if this site were to be allocated. While the site provides an opportunity to “round off” the development of the settlement by the landowner, it is considered that it could also open up further development potential to the north and lead to coalescence which does not already exist (either physical or visual) coalescence.

Access

There are concerns with the capacity of Black Isle Road at present and if this development were to proceed. There is some scope to bring forward improvements to the junction to increase it's capacity. Some of which are planned to proceed with the refurbishment of the railway bridge.

It is acknowledged that there would be potential for this site to make a contribution to improvements of the B9169/A832 junction. This would need to be demonstrated through a Transport Assessment at the time of the application.

Drainage

It is recognised that there are some drainage issues surrounding the site. If this site were to be allocated any planning application would be required to include a Sustainable Drainage System (SuDS) Plan.

It is considered that the site is long term in nature and is not needed at the current time to meet the housing need and demand in the area. As such it is proposed that the site is not allocated in the plan.

Alternative Sites and Uses

NS22 – Land South West of Muir of Ord

Each site will be judged on its merits and cumulatively when preparing the local development plan to address the needs and demands of the area. Therefore the allocation or otherwise of this site will not have a significant effect on the decision to allocate other sites in Muir of Ord.

The Housing Land Audit 2010 correctly identified the site as having landownership issues at the time. However since then an access opportunity has been acquired by the landowner relieving the constraint on development and in turn making it a much more deliverable site than it was at the time of the Ross and Cromarty East Local Plan..

For the above reasons and due to the relative proximity to the sustainable transport in the form of the railway station it is considered appropriate to allocate this site for housing.

NS46 – Tomich House

If the site were to be allocated the requests for a species survey, consideration of impact on woodland around the edge of the site and compensatory planting could be brought forward as developer requirements.

While the proposal could meet the unmet demands of a niche market, it is considered that this site could be brought forward in isolation of the plan. In addition the site is considered to be too small to allocate in a plan of this nature.

NS130 – Glen Ord Distillery

The development of this site and intensification of the use on the site is largely complete but has been identified nonetheless as the Inner Moray Firth Plan seeks to give greater support to the food and drink industry of the area through the vision and spatial strategy. However, if further development is brought forward on the site the developer requirements related to the need for a great crested newt survey and flood risk assessment, need for transport assessment should be included in the plan.

Recommended Proposed Plan Content:

- In summary, the following MIR sites are retained:
H5, H5, NS22, NS130, I1, MU1
- The following sites are retained but with modified use/boundary
MU2
- Remaining MIR sites and suggested new sites are not retained / recommended for inclusion

General

The settlement development area will be redrawn to reflect the suggestions put forward by the community council.

Issue	Tain	
MIR reference:	7.36	
List of persons and organisations who submitted comments (including reference number):		
<p>Albyn Housing Society Ltd (00419), ASDA Stores Limited (01070), AWG Property Ltd (01246), Balnagown Estate (00964), Highlands & Islands Green Party (00491), MacDonald And Muir (01324), Mr Denoon (00078), Mr Henry Bowden (01309), Mr Leo Daly (01017), Mr Mackenzie, Mrs Charlish, Mrs Leonard (00603), Mr Steve Simpson (01224), Mrs Kate Grant (00380), Mrs Maureen Butchard (01149), Mrs S.G.H. Stone (01179), Mrs Suzanna Stone (00017), Scottish Environment Protection Agency (00523), Stuart Campbell (00264), Tain Community Council (00322), The Scottish Government (00957)</p>		
Summary of comments received:		
General		
<p>More land should be identified for light industrial use.</p> <p>Should consider a roundabout at Morangie Road junction onto the A9 in the interests of safety and to facilitate better access to future development in the area.</p> <p>Development west of the A9 should be resisted.</p> <p>All the developments proposed within the Tain area should take access from the local road network.</p> <p>An appropriate access strategy taking into account the cumulative impact of the various development opportunities should be discussed and agreed with Transport Scotland. It would be expected that existing junctions will be used to access the proposed sites."</p> <p>Suggests that the East Ross Housing Market Area total housing land requirement should be apportioned between the main settlements in that area. Believes that Tain should accommodate 25% of that total equating to 277 units in the 2011-2015 period and 243 units in 2015-2020.</p> <p>Objects to any expansion of Tain beyond its existing developed boundaries because: there are ample development sites within existing boundaries; local opinion is against such expansion and this should be listened to.</p> <p>Factors pointing to Tain being a suitable location for providing support to the Nigg Energy Park include the following;</p> <ul style="list-style-type: none"> - Tain offers excellent local services and a historic environment which provide a strong foundation for growth; - it is the nearest significant population centre to Nigg and it should grow as a result of approval of an ASDA superstore and of a masterplan for housing development 		

- it's situation beside the A9 and its rail connections make it well placed to develop as a location for business activities complementary to Nigg;
- location of such activities at Tain would increase local employment opportunities and thus reduce the need to travel from the Easter Ross peninsula to Inverness and elsewhere

Sites

H1

The landowner supports the Council's preference of this site for housing development for the following reasons

- there is an extant planning permission for 66 houses
- it is an effective site which meets with the Council's key development issues for Tain
- it is a logical expansion site infilling between the A9, Morangie road, and existing settlement

H2

SEPA do not object provided the following developer requirements included in Proposed Plan. FRA needs to consider small watercourse, culvert upstream and downstream of the site and must show there isn't an increased risk to downstream properties Flood Risk Assessment will be required in support of any planning application.

The site has an extant planning permission for residential development and permission was recently granted for a revised access

H3

The landowner considers the development of this site provides housing in close proximity to an employment site which would further support the principles of sustainable travel and integrated land use and that residents from these sites will be able to utilise tourist facilities that could be developed on the site.

The respondent objects to site H3 on basis of deliverability as the site has been allocated for housing for many years.

H4

Supports the inclusion of land as a housing site (RACE 17 site).

Site has not been brought forward due to economic climate, has a lapsed consent.

Considered that the site is within walking distance of local amenities including Tain Royal Academy and that this site would support use sustainable and active travel due to proximity to the train station and bus routes.

Considered appropriate to allocate the site for housing with a larger boundary than already shown as the cemetery expansion does not cover such a large area.

H5

SEPA do not object provided the following developer requirements included in Proposed Plan. FRA would need to consider partly culverted watercourse next to site (could

investigate possibly opening it as part of the development but would need to show that the flood risk was not increased). A Flood Risk Assessment will be required in support of planning application if close to the watercourse.

H6

Considered that development in Tain should be retained within the bypass.

Development at other side of A9 does not have as good access to the local amenities.

Supports the non-preferred status of the sites H6 and H7. The Council should view these as long term allocation in future plans.

SEPA do not object provided the following developer requirements included in Proposed Plan. FRA may be required if development is proposed close to the watercourse this could be adequately dealt with by allocating greenspace or a buffer zone in vicinity of the watercourse. Flood Risk Assessment will be required in support of any planning application if close to the watercourse.

Considers there is a shortfall in the housing land requirement for Tain compared to the capacity of preferred sites and the addition of this site would provide choice and flexibility if preferred sites don't come forward.

The precedent for further development outwith A9 bypass already set.

Distance to town centre outwith active travel range but new commercial centre will be accessible.

Little visual impact from A9 compared to other similar alternatives and further planting could be incorporated into development.

H7

Considered that development in Tain should be retained within the bypass.

Development at other side of A9 does not have as good access to the local amenities.

Supports the non-preferred status of the sites H6 and H7. The Council should view these as long term allocation in future plans.

SEPA do not object provided the following developer requirements included in Proposed Plan. FRA may be required if development is proposed close to the watercourse this could be adequately dealt with by allocating greenspace or a buffer zone in vicinity of the watercourse. Flood Risk Assessment will be required in support of any planning application if close to the watercourse.

Considers there is a shortfall in the housing land requirement for Tain compared to the capacity of preferred sites and the addition of this site would provide choice and flexibility if preferred sites don't come forward.

The precedent for further development outwith A9 bypass already set.

Distance to town centre outwith active travel range but new commercial centre will be accessible.

Little visual impact from A9 compared to other similar alternatives and further planting could be incorporated into development.

H8

Considered that development in Tain should be retained within the bypass.

Development at other side of A9 does not have as good access to the local amenities.

Respondent states that the site was subject to a failed attempt to create allotments and as a result should be removed from the Plan and the boundary be reduced. This will remove the potential for the site to be developed into housing as there is already a range of housing sites in Tain.

SEPA do not object. No Flood Risk Assessment required, but drainage will need careful consideration.

Supports the Council's non-preference for allocation H8 for housing as respondent is concerned development of the site will devalue her property which lies adjacent to the site.

There are ample development sites within existing boundaries.

Local opinion is against such expansion and this should be listened to.

Loss of private greenfield view, and loss of residential amenity in terms of private garden space being overlooked by development of H8 site.

H9

Considered that development in Tain should be retained within the bypass.

Development at other side of A9 does not have as good access to the local amenities.

As owners of the St Vincents farmhouse they have access rights here that cannot be given away by the farm owner.

Supportive of non-preferred status of H9 and MU4 as they are premature to future requirements.

All the land owned by the Council, including 90 acres to the North of Tain, should be developed before H9/MU4.

SEPA do not object provided the following developer requirements included in Proposed Plan. FRA may be required if development is proposed close to the watercourse this could be adequately dealt with by allocating greenspace or a buffer zone in vicinity of the watercourse. Flood Risk Assessment will be required in support of the planning application if close to the watercourse.

H9 as represented in the MIR is misplaced; the short term housing opportunity extends

significantly further west and the Proposed Plan should reflect that as part of the allocation of MU4 sought.

MU1

Supports the mixed use allocation of MU1 but argues that the proposed access being taken from a new roundabout on Knockbreck Road is unfeasible in the current economic conditions and delaying construction. An alternative would be access from Seaforth Road for an early phase of development.

Respondent, acting for landowner, supports preferred status of MU1, MU2 and MU3 sites in Tain as:

- the site is available for development
- there is a current approved Masterplan for much for the sites

Supports identification of MU1 for housing, community and retail uses. Notes that 'investment in road access improvements required' is listed as a significant con in MIR, however the development of the supermarket will facilitate the construction of two roundabouts that will facilitate development of the remainder of the MU1 site.

MU2

Respondent objects to the allocation of MU2 for development, because it is considered that MU1 and MU3 are sufficient and that MU2 in addition to these sites, is excessive and unjustified.

Considered that given the historic development rate within Tain with effective allocated sites it is considered that there is neither the need nor demand in Tain for scale of development proposed.

Considered that MU2 does not direct growth to the most appropriate location as it is remote from the settlement and the services available in the town centre.

There are no public transport services located within proximity to the site and that development would not therefore encourage active travel. Considered to be unsustainable and to contravene Scottish Planning Policy (SPP) which presumes against development that would increase reliance on the private car.

It is considered that the road network as it presently stands cannot support development of MU2 alongside the other allocations.

Respondent believes that the local primary schools of Knockbreak and Craighill are operating at over capacity and that forecasts show that neither can support development of MU2.

Development of MU2 will extend Tain to the south which is considered not to be characteristic with development in Tain predominately being to the west of the settlement.

Setting of Knockbreck House will be affected.

Concern over loss of prime agricultural land.

"

Business use at MU2 not considered appropriate if access can only be taken through existing/proposed residential areas due to limited access opportunities and lack of high visibility.

SEPA do not object provided the following developer requirements included in Proposed Plan. FRA may be required if development is proposed close to the watercourse this could be adequately dealt with by allocating greenspace or a buffer zone in vicinity of the watercourse. Flood Risk Assessment will be required in support of the planning application if close to the watercourse.

Potential for pollution of water which may have an impact on the mussel beds.
Visual impact of development on the approach to Tain

Respondent supports MU2 for the following reasons:

- does not suffer from flooding
- only part of the site is prime agricultural land
- existing woodland help to contain the site visually and screen from the A9
- A timber pole mounted power line passes through the northern part of the land. The setback or safeguarding distance is indicated on the Site Constraints plan.
- The Highland Environmental Record indicates only the former Knockbreck Toll House, listed (Cat C(S)) within the site. This was formerly used as an office for the roads depot but has been vacant for a number of years. Consideration has been given to taking down and reconstructing the building on a more prominent site at the entrance to Tain and bringing it back into a beneficial use.
- There are no other natural or cultural heritage features within the site.
- The food park and other employment uses will offer local job opportunities.
- Residential development will require compliance with the Council's affordable housing policies and make contributions towards improved education and public transport facilities.
- Additional land for open space/recreation.
- Enhance the southern approach to Tain especially if the former roads depot is brought back into use.
- Located within 1.4 km of Tain town centre
- Less than 1 km from the nearest primary school and 1.5 km from Tain Royal Academy.
- Community, sports club, retail and office developments are proposed on other land at Knockbreck within 400 metres with potential to develop a network of paths connecting to these and existing uses.
- A local bus service presently runs along the B9174 road close to the site.

MU3

Respondent, acting for landowner, supports preferred status of MU1, MU2 and MU3 sites in Tain as:

- the site is available for development
- there is a current approved Masterplan for much for the sites

MU4

Considered that development in Tain should be retained within the bypass.

Development at other side of A9 does not have as good access to the local amenities.

As owners of the St Vincents farmhouse they have access rights here that cannot be given away by the farm owner.

Supportive of non-preferred status of H9 and MU4 as they are premature to future requirements.

All the land owned by the Council, including 90 acres to the North of Tain, should be developed before H9/MU4.

SEPA do not object provided the following developer requirements included in Proposed Plan. FRA may be required if development is proposed close to the watercourse this could be adequately dealt with by allocating greenspace or a buffer zone in vicinity of the watercourse Flood Risk Assessment will be required in support of the planning application if close to the watercourse.

Object to the non-inclusion of the site MU4 and suggest that this site could provide, in line with the need identified by the Community Council, for a new business/science technology park to take advantage of opportunities related to the Nigg Energy Park. We believe that this site would be ideal to meet the aspirations of the community in this respect.

This site offers several factors for supporting activities at the Nigg Energy Park including;
large enough to accommodate a variety of uses - residential, commercial and community;
the north-east part of the site is adjacent to recent development by the Highland Housing Alliance and could be suitable for housing;
the main part of the site offers significant potential for business development of a high amenity, campus type. This could be eminently suitable for the Nigg related use envisaged by the Community Council;
it offers an excellent business environment with fine views, a southerly aspect and the possibility of the use of renewable energy;
St Vincent is large enough to accommodate structural open space and parkland which could address community needs.

Object to the Council's stated non-preference for these sites. Sites MU4 and H9 (land at St Vincent) should be allocated in the Proposed Plan in entirety, and development phased (plan provided).

MU4 (part H9) is available in the short term; there are no burdens that prevent early release.

The land at St Vincent should be preferred as a mixed use site by virtue of:

- its position in relation to future and longer term expansion;
- potential to develop 22ha sufficient to accommodate residential, commercial and community uses;
- established connections to the town and proximity of schools and health facilities;
- potential to phase development with scope for access from four directions;
- suitability of north-east part of site for housing, adjoining and linked to existing housing;
- main part of site having potential for business campus development;

- fine views, southerly aspect and possible use of renewable energy;
- large enough for structural open space and parkland which could address community needs, where an early commitment would enable a landscape structure to get underway;
- a fine 19th century steading suitable for alternative use and a community focus;
- its location adjoining a substantial land bank owned by The Highland Council;
- that it is easily accessible from the A9 without generating external employment traffic within the town's tight network of streets.

Economic Development - The land at St Vincent should be preferred to accommodate a new business or science and technology park which should meet the Community Council's desire for such a facility to take advantage of the prospective Nigg Energy Park. Scottish Planning Policy provides a context; a long term approach is needed in order to seize employment opportunities. Even if there is land available at other locations, including brownfield, this site has merits in terms of scale and location, is deliverable and would particularly suit high-tech business use.

Housing - Land west of the bypass is without doubt a location for future development, given existing and planned development there. Site MU4 provide opportunity to round off the settlement form, are discrete in terms of visibility and are attached by reservation of access to adjoining housing development. Other land, identified in the MIR as preferred, may not be available and MU4 would restore better choice and balance in housing land across Tain. MU4 has been subject of earlier significant interest by the Highland Housing Alliance.

Open Space - A recreation field could be provided as part of development, serving existing and future residents and helping to meet the Council's standards for open space provision in Tain.

Conclusion - Whilst recognition of development potential of land at St Vincent within the MIR is to be welcomed, the above factors demonstrate the land not to be "premature to any future requirement" in respect of housing, business or open space. "

B1

The Landowner supports the Council's preference of B1 within the IMFLDP.

The landowner considers that B1 is ideally located to accommodate high quality business and tourism use with the Blairliath Industrial Estate lying to the south east of the site. Considered site is well located to accommodate expansion of Blairliath Industrial Estate.

Considered that the site is well connected by its proximity to the A9 Trunk Road.

Considered B1 is well placed to take advantage of access to and from the site by a variety of sustainable modes of transport including walking, cycling and public transport.

Appropriate land should be identified for a business/research and development park either on B1.

Following discussions between the Community Council and Glenmorangie Distillery the respondent believes that the distillery has plans for the whole field identified as B1

therefore the need to identify additional business land is essential.

The landowner supports the Council's preference of this site for business development considering this to be a logical site for expansion of existing commercial facilities including small supermarket and a garden centre and leading onto the Shore Road Industrial Estate.

C1

SEPA do not object. No Flood Risk Assessment required, but drainage will need careful consideration.

C2

Respondent states that the site was subject to a failed attempt to create allotments and as a result should be removed from the Plan and the boundary be reduced. This will remove the potential for the site to be developed into housing as there is already a range of housing sites in Tain.

SEPA do not object, but drainage will need careful consideration.

Respondent objects to this site being preferred for community uses as the allotments proposal is no longer deemed viable and there are alternative sites available within existing Tain boundary.

C3

No Comments

C4

Respondent considers that the site should be allocated for housing.

Respondent thinks C4 is an error as only the north-east part of it is earmarked for cemetery use. There is a lapsed residential planning permission on the remainder of the site. C4 should be a housing site.

SEPA do not object provided the following developer requirements included in Proposed Plan. Small watercourse to the south which is culverted. Opposite side of the road so it may not be an issue but basic FRA could be submitted to ensure no overland flow issues. Flood Risk Assessment will be required in support of any planning application.

ALTERNATIVE SITES AND USES

Please note that the names and reference numbers for comments submitted on this specific consultation are not listed in this document.

Through the consultation on the Main Issues Report further sites have been submitted to the Council for inclusion in the Local Development Plan. Consultation on these additional sites took place between April and July 2013. The following are the comments which were received during that time.

NS23 - Glenmorangie

This site will require to be screened as part of the HRA due to potential connectivity with Dornoch Firth and Morrich More SAC and the Dornoch Firth and Loch Fleet SPA.

This site should avoid adverse effects on the special qualities of the Dornoch Firth NSA

The site should be designed appropriately with appropriate landscaping incorporated as part of the proposal.

Development should not include warehousing.

Landowner supports the identification of the site, but requests further land to be identified to support expansion of the distillery.

Transport Scotland consider this site may have an impact on the existing priority access junction on the A9. The impact should be identified and discussed with Transport Scotland.

NS71 – Land South of A9

Community Council disagree with the “cons” set out for this site.

Considers this site provides an opportunity to address wider access issues at the A9/Morangie Road Junction.

NS28 - Kirksheaf

Respondent objects to the site as they do not believe the access issues identified in the Ross and Cromarty East Local Plan have been overcome.

Considers that ecological and contaminated land issues need to be addressed.

Any development would need to consider the proximity of listed buildings and the conservation area.

The boundary should be closely defined to ensure it does not affect Tain Bowling Club and the property at Croft Roy.

Due consideration needs to be given to the expansion of the cemetery.

OTHER ALTERNATIVE SITES AND USES

The following sites were suggested in representations but were not consulted upon as part of the formal alternative sites and uses consultation. This was due to scale/type of uses of proposed and/or the potential effectiveness of site.

Duthac House – Community Council suggested this site as it is due to become redundant; and that it should be identified for Community Use.

Land between railway line and coast, Blarliath - Community Council are examining prospects for a wind project on 5Ha of fields and requested this land is identified within the Settlement Development Area.

Council's summary of responses to comments:

General

Business and Industrial Land

It is recognised that within the settlement of Tain there is a shortage of business and light industrial land available, with development opportunities limited to infill development in the Blarliath Industrial Estate, an area within the Knockbreck and Burgage Farm masterplan area and the site identified as B1 in the Main Issues Report.

However, with that said there are a number of opportunities (including significant brownfield land) available in the surrounding area which are easily commutable from Tain including at Fearn, Seaboard Villages, Fendom and Fearn Aerodrome.

Road Access

The development of road safety improvements to facilitate more effective and safe access to Tain have been considered through the Transport Infrastructure for Growth work which has been carried out by The Highland Council in partnership with transport providers. Junction improvements have been suggested as part of this work but have, at this time not been taken forward as a priority with the main focus of road improvements being to the local road network. Conditions in place on a number of developments within Tain will lead to improvements to the local road network and any development allocated within the Inner Moray Firth Local Development Plan will be required to bring forward appropriate access solutions.

An appropriate access strategy taking into account the cumulative impact of the various development opportunities is yet to be discussed and agreed with Transport Scotland however it is agreed that all new development will take its primary access from the local road network.

Development outwith A9 by-pass

It is the Council's view that the development of Tain should first consolidate within the boundary of the settlement prior to further expansion to the west of the A9 Trunk Road. This is to reinforce Tain's sense of place. It is acknowledged that development to the west of the A9 is the most logical expansion area for Tain but the need for this is considered to be beyond the period covered by this plan.

Population and Housing

The preferred sites (as shown in the Main Issues Report) have a capacity of approximately 662 (337 of these have planning permission, 250 are currently at planning application stage (minded to grant consent subject to conclusion of Section 75 legal agreement), and the remaining 75 are indicative based on the indicative capacities of the Ross and Cromarty East Local Plan or, if it is a new site, an assumption of 20 dwellings per hectare density). There have been a total of 66 completions at site H5.

In the East-Ross Housing Market Area (HMA) there is a requirement for 3,284 for the plan period. The spatial strategy for the Inner Moray Firth primarily directs growth to the Ross-shire (Dingwall – Tain) and A96 (Inverness-Nairn) Corridors.

While this is the case, following further consideration of the issues with the sites in Tain, it may be considered that not all of the sites in Tain can be considered "effective" within the plan period. The Proposed Plan will set out the housing land availability for the first 5 years, 10 years and then a 10-20 year period.

While this is reflective of the results of the Housing Need and Demands Assessment, it has to be acknowledged that since its completion growth in employment in the East Ross Housing Market Area has grown quicker than anticipated. As such it may be suitable to allocate land at a higher level in the East Ross Housing Market area to ensure that the growth in jobs can be matched by the availability of housing land ensuring a more sustainable approach to economic growth. However, it should be noted that this need to allocate further housing land does not over-ride the proper planning of settlements which will take precedence in deciding the locations for growth.

Sites

H1

This site has planning permission for 66 houses. The site secured planning permission in 2008, however like most sites in this area it has not been brought forward due to the economic climate. It is considered that this site will facilitate the consolidation of the northern edge of Tain prior to further expansion and it is in close proximity to shops and the town centre.

It is proposed that this site is allocated with developer requirements reflecting the planning permission for the site and include the requirement for an improved junction which would be shared with the Lidl store on the northeast of Morangie Road.

H2

This site has planning permission in principle for 170 houses. Access to the site has recently been provided through the development of the new Tain Health Centre and the new nursing home which is to be provided on the site identified as C1 in the Main Issues Report. It is considered that this site will complete the last major housing site within the bypass of the settlement between Moss Road and Craighill Terrace.

It is proposed that the site is allocated and be subject to developer requirements that reflect those identified through the planning permission for the site. The requirement for a flood risk assessment will be included as a developer requirement.

H3

It is acknowledged that the proximity to the potential business development on the site identified as B1 in the Main Issues Report and other existing employment opportunities does make this site attractive from the perspective of sustainable development. This site represents an opportunity to bring forward a development on one of a small number of housing sites north of Morangie Road. If developed this site has the potential to make a significant contribution to the settlement strategy of consolidation to the east of the A9. It is noted that this site has been allocated for a number of years and no development has been brought forward.

Given the site has not been brought forward after successive allocations in previous local plan, it is considered that this site is not effective housing land and therefore will not be allocated in the plan. The site however will not be protected as green space and therefore if an application does come forward on the site it will be judged against the policies of the Highland-wide Local Development Plan.

H4

The site is allocated in the Ross and Cromarty East Local Plan and part of the site has planning permission for 13 serviced plots.

The opportunity to expand this boundary given the cemetery expansion is not anticipated to need as much land as what was anticipated when the Ross and Cromarty East Local Plan was prepared, is acknowledged and an expanded site has been consulted on.

The proximity of this site to local amenities and sustainable travel opportunities is recognised. However, it is considered that the local road network would need a level of mitigation to support any development on this site beyond what has been granted planning permission.

In responding to the comments regarding the extended site and the potential impact on the conservation area and listed buildings that are in close proximity, it is considered that these can be overcome through sensitive siting and design.

It is proposed that this site is extended in line with the boundary shown in the “new sites” consultation. Developer requirements would include the need for a Transport Assessment to identify the level of development which could be delivered and any mitigation required, sensitive siting and design. The boundary will be revisited to ensure it does not include Tain Bowling Club.

H5

The majority of the site has planning permission and there have been approximately 66 completions on the site. This site has been developed over some time and is rounding off development to the west of the A9 which was commenced in the early 1970's. There continues to be a steady level of development on this site which has been subject to a development brief.

If this site is allocated developer requirements will largely reflect the consented development. However as segments of the site remain undeveloped there is also opportunity to add further developer requirements in relation to the culverted water courses on the site including the requirement for a flood risk assessment.

Given the extant capacity on the site it is proposed to retain this site in the plan subject to developer requirements which reflect the planning permission on the site.

H6 and H7

Development to the west of the A9

This has been addressed in the general comments section above.

Housing Requirement

This has been addressed in the general comments section above.

Access

One of the key issues for these sites is access to the site by active travel. Currently the safe crossing point of the A9 is in the form of an underpass. The sites are outwith active travel distance to the settlement centre, albeit it is recognised that the sites will be within reasonable active travel distance of the new commercial centre which has formed at the

new ASDA store. Any development will be required to make a contribution to the Tain Active Travel Masterplan.

Flood Risk

There are a number of small watercourses on this site and therefore and if development is located close to these then a suitable buffer should be left in accordance with the Flood Risk and Drainage Supplementary Guidance and a flood risk assessment may be required if this site is allocated.

Visual Impact

These sites benefit from a landscaping bund put in place when the A9 was constructed and woodland to the south of the site. This limits the potential for visual impact from the A9, however as acknowledged by the landowner there will be a need for further planting and strategic landscaping if this site were to be allocated.

It is proposed that these sites are not allocated in the plan at this time. It is acknowledged in an earlier section of this response that there is potential for development in this area, however the focus at this time should be on consolidation on the town prior to expansion. The plan will acknowledge the potential for expansion to the south of the A9 in the longer term.

H8

This site has planning permission for the creation of allotments, however it is understood that this is no longer being taken forward for a number of reasons.

Development to the west of the A9

This has been addressed in the general comments section above.

Housing Requirement

This has been addressed in the general comments section above.

Flood Risk and Drainage

While no flood risk assessment is required, if the site is allocated a drainage impact assessment will be required.

Impact on private views, amenity and property value

Issues such as impacts on an individual's view and property value are not material considerations in the planning system. Any planning application on the site will be assessed in terms of amenity impact on existing residents.

As the site is unlikely to be delivered it is proposed that the site is not included in the plan. At this point no suitable alternative uses are proposed.

H9

Development to the west of the A9

This has been addressed in the general comments section above.

In relation to this site, one respondent put forward the suggestion that if development were to occur to the West of the A9 then the land owned by the Council, including 90 acres to the North of Tain, should be developed before MU4.

As this was not a suggestion put forward by the landowner this has not been taken forward through the alternative sites consultation.

Housing Requirement

This has been addressed in the general comments section above.

Access

One of the key issues for this site is access to the site by active travel. Currently the safe crossing point of the A9 is in the form of an underpass. The site is outwith active travel distance to the settlement centre, albeit it is recognised that the site will be within reasonable active travel distance of the new commercial centre which has formed at the new ASDA store. Any development will be required to make a contribution to the Tain Active Travel Masterplan.

Impact on Private interests

One respondent raised issues over a legal right of access. This is a civil matter over which the planning system has no control.

Flood Risk

There are a number of small watercourses on this site and therefore and if development is located close to these then a suitable buffer should be left in accordance with the Flood Risk and Drainage Supplementary Guidance and a flood risk assessment may be required if this site is allocated.

Mis-representation of site

The site shown as H9 was shown as such as it was a suggestion put forward by a landowner. It is understood that this does not match the aspiration of all parties involved but for consistency the red line boundaries as put forward by respondent to the call for sites were carried forward into the Main Issues Report were taken forward in the form which they were submitted to the Council.

It is proposed that this site is not allocated in the plan at this time. It is acknowledged in an earlier section of this response that there is potential for development in this area, however the focus at this time should be on consolidation on the town prior to expansion. The plan will acknowledge the potential for expansion to the south of the A9 in the longer term.

MU1 and MU3

The sites covered by MU1 and MU3 have a minded to grant planning permission in principle subject to conclusion of a Section 75 Legal Agreement. This planning permission in principle will be for a mixed use masterplan which includes, housing, business, community uses and retail (including the now completed ASDA store which was subject to a separate Planning Application).

At the time of publication of the Main Issues Report the works to accommodate and develop the ASDA store were not complete. However since that time they have been finished and the development of the roundabouts from Knockbreck Road has provided opportunities for delivery of the rest of the masterplanned area.

It is proposed that the sites are merged and reflect the plan content reflects the Knock Breck Masterplan minded to grant planning permission. The site boundary will be modified to exclude the ASDA development which has already been completed.

MU2

This site was shown as preferred for a mixed use development comprising of business uses and a food park. The site does not benefit from planning permission.

Expansion to the south of Tain

Expansion in this part of Tain has been established by the long standing allocations for expansion at the southern part of Tain which have now received planning permission in principle for a mixed use masterplan. Having a new supermarket at this side of the settlement and the provision of further housing, community and employment uses provides a basis for expansion at this end of the settlement.

Housing Requirement

This has been addressed in the general comments section above.

Proximity of development to services

The site is just outwith active travel distance of the town centre but is closely located to the new commercial centre (which currently comprises the new ASDA store) and new community, office and sports facility type uses which are likely to come forward in this area through the masterplan on the adjacent lands.

Access

It is anticipated that any development on this site will be accessed via the local road network which has been subject to a number of improvements since publication of the Main Issues Report, including the creation of a roundabout on Knockbreck Road. It is anticipated that this site will utilise this for access and the single track road would require upgrading prior to commencement of development.

There is potential for an enhanced network of paths and trails in in this part of Tain which would contribute towards the aims of the Tain Active Travel Masterplan. Any development on this site would be required to contribute towards these improvements.

It is anticipated that the current bus services which use Knockbreck Road would be able to serve this development. A developer contribution would be required toward the provision of public transport to serve this site.

School Capacity

If all development identified as preferred in the Main Issues Report is bought forward. It is considered that the Primary Schools in Tain will be over capacity. However, the Council have an established policy to collect developer contributions from new residential developments. These contributions will be used to mitigate the impact of development on the primary school, this could be done in a number of ways which could include extensions to the school. However, it should be noted that the schools in this area are subject to the Sustainable Schools Estates Review and this is yet to report back as to the preferred option for Tain.

Agricultural Land

A proportion of the site (approximately two thirds) is considered to be prime agricultural land, however if the development is considered key to the spatial strategy for the settlement Scottish Planning Policy suggests that prime agricultural land can be developed.

Natural and Built Heritage

Knockbreck House, its gate piers and Knockbreck Walled Garden are all listed. It is considered that setting of all of these listed buildings may be affected in some form or other but there may be potential for mitigation. The mitigation in the form of moving the Toll House will require detailed discussion with Historic Scotland.

All development on this site will be required to connect to the public water and waste water network. In addition a Sustainable Drainage System plan will be required to address surface water runoff ensuring that there will be no impact on the water quality of the Moray Firth.

Flood Risk

There are a number of small watercourses on this site and therefore and if development is located close to these then a suitable buffer should be left in accordance with the Flood Risk and Drainage Supplementary Guidance and a flood risk assessment may be required if this site is allocated.

Visual Impact

As with any development there will be a change in the landscape character if built development is brought forward on a previous greenfield land. While the existing woodland will provide a level of screening of the development and provide a visual boundary there will be a need for further planting and strategic landscaping to limit the visual impact of any development of the site but also to enhance the amenity of the site.

It is proposed that this site is not included in the plan at this time. While there is potential for this site to be delivered and the issues identified could be mitigated, it is considered that the best access to this site would be through MIR site MU3. Therefore development of this site would be premature to the completion of site MU3.

MU4

Development to the west of the A9

This has been addressed in the general comments section above.

One respondent put forward the suggestion that if development were to occur to the West of the A9 then the land owned by the Council, including 90 acres to the North of Tain, should be developed before MU4.

As this was not a suggestion put forward by the landowner this has not been taken forward through the alternative sites consultation.

Housing Requirement

This has been addressed in the general comments section above.

Business and Industrial Land

The availability of business and industrial land has been addressed in the general comments section above. However, in addition for this site there is an opportunity to

provide a business park, however it is understood that the need for business land such as this is focussed around Dingwall and Alness where the existing business parks are nearing capacity.

Access

One of the key issues for this site is access to the site by active travel. Currently the safe crossing point of the A9 is in the form of an underpass. The site is outwith active travel distance to the settlement centre, albeit it is recognised that the site will be within reasonable active travel distance of the new commercial centre which has formed at the new ASDA store. Any development will be required to make a contribution to the Tain Active Travel Masterplan.

The road access will utilise the local road network albeit if allocated a Transport Assessment would be required to demonstrate no net detriment to the trunk road network. It is recognised that there are a number of road access opportunities with short term access to housing likely to be taken through the Rowan Drive development.

Impact on Private interests

One respondent raised issues over a legal right of access. This is a civil matter over which the planning system has no control.

Flood Risk

There are a number of small watercourses on this site and therefore and if development is located close to these then a suitable buffer should be left in accordance with the Flood Risk and Drainage Supplementary Guidance and a flood risk assessment may be required if this site is allocated.

Redevelopment of existing buildings

The commitment to the reuse of existing development on the site is a welcome element of the proposals. If this is intended then an archaeological record may be required prior to commencement of development.

Potential Mix of Uses

It is recognised that the scale of this site offers opportunities for a mix of uses including business, residential, community and open space. The mix of uses are considered compatible with each other and the surrounding uses. The scale of the site ensures that there can be suitable buffers between uses if considered necessary and the area for each use will be big enough to enable a viable development.

It is proposed that these sites are not allocated in the plan at this time. It is acknowledged in an earlier section of this response that there is potential for development in this area, however the focus at this time should be on consolidation on the town prior to expansion. The plan will acknowledge the potential for expansion to the south of the A9 in the longer term.

B1

A small proportion of this site has planning permission for a fruit merchants warehouse.

Availability of the land

While a respondent has suggested that the land is to be used by Glenmorangie Distillery

this has not been confirmed to the Council through the landowners response to the Main Issues Report, however it is acknowledged that there have been applications for a new access to the distillery through this site.

Access to the site

There are potentially two access opportunities for this site the short term access being from Shore Road and potentially in the short to medium term through the Lidl car park via a roundabout which will be created to serve the existing Lidl Development and future development on the site shown as H1 in the Main Issues Report. From either access there will be good access to the A9(T). It is likely that for the development of this site that a Transport Assessment would be required to demonstrate no net detriment to the trunk road network.

There are opportunities to connect this site to the rest of Tain via a walking and cycling network and to the wider area through connection to the public transport network. Any development on this site would be required to make a contribution towards the Tain Active Travel Masterplan and the the provision of enhanced public transport network.

It is proposed that this site continues to be allocated for business use subject to developer requirements related to improved access.

C1

This site is covered by now implemented planning permissions for a new care home and a new health centre. Both of these developments are now on the ground and as such there is now no need to safeguard the sites for these uses.

C2

This site has planning permission for the creation of allotments, however it is understood that this is no longer being taken forward for a number of reasons. Through the masterplan for sites MU1 and MU3 there have been provision made for allotments.

Flood Risk and Drainage

While no flood risk assessment is required, if the site is allocated a drainage impact assessment will be required.

As the site is unlikely to be delivered it is proposed that the site is not included in the plan. At this point no suitable alternative uses are proposed.

C3

This site was shown as preferred to provide an opportunity for the redevelopment of Tain Royal Academy and surrounding grounds for a new school. As the final location and form of a new school is to be decided it is proposed that there would not be an allocation in the plan and any proposal would be determined against the general policies of the Highland-wide Local Development Plan.

C4

A proportion of this site has planning permission for cemetery expansion. It is recognised that this has planning permission and the rest of the site is not required for cemetery expansion.

Alternative Sites and Uses

NS23 - Glenmorangie

The landowner is now seeking further land to be allocated to support the growth of the distillery. While this is supported in principle, it is considered that this information has come too late in the process to include the site in the plan without additional consultation. If the landowner would wish to continue to seek this allocation then they would be advised to raise this through the consultation on the proposed plan.

Given the location of the site due consideration will be required to the landscape setting and the potential environmental impacts on the European Designated sites. In addition the impact on the Trunk Road network will need to be assessed as part of any future proposal on the site.

While the Community Council has suggested that the site should not include any warehousing, it would be unreasonable to preclude this type of use across the whole site, if sensitively located and designed then it would be an appropriate use for this site.

NS71 – Land South of A9

As set out earlier in this response, it is considered that the strategy for the development of Tain should focus on the consolidation of the town prior to its expansion.

While a development in this location may provide an opportunity to improve the A9/Morangie Road junction it is considered that this development in isolation would not be able to facilitate this given its scale. It is unlikely that Transport Scotland would support an additional trunk road access at this point.

NS28 - Kirksheaf

The comments raised have been addressed in response to site H4 above.

Other Alternative Sites and Uses

Duthac House – Any application on this site for community use could be adequately determined using the Highland-wide Local Development Plan.

Land between railway line and coast, Blarliath – The Local Development Plan is not taking forward an approach where it identifies land for renewable energy projects, community based or otherwise. If this site were to be included in the Settlement Development Area this would have a negative impact on your proposals rather than positive due to the provisions of the Renewable Energy Policies in the Highland-wide Local Development Plan.

Recommended Proposed Plan Content:

- In summary, the following MIR sites are retained:
H1, H2, H5
 - The following sites are retained but with modified use/boundary
B1, C4, H4/NS28, MU1/MU3, NS23
- Remaining MIR sites and suggested new sites are not retained / recommended for inclusion

Issue	ARDERSIER	
MIR reference:	MIR 7.1	
List of persons and organisations who submitted comments (including reference number):		
<p>Ardersier And Petty Community Council (00266), Cyril A Smith (00615), Ismail And Denise Vince Koprulu (01051), J.E. And S.B Wood (01157), Miss Hazel Ross (00907), Moray Estates (01039), Mr Alisdair McKay (01155), Mr Billy Lowrie (00966), Mr Colin Fettes (00896), Mr David Daschofsky (00507), Mr Derek Ritchie (00901), Mr Don Stewart (00980), Mr Donald Leith (01121), Mr Grant Stewart (01097), Mr James Devidge (01138), Mr John Orr (01211), Mr John Ross (00016), Mr Malcolm Leiper (01001), Mr Martin Ross (00903), Mr Michael Job (00913), Mr Pat MacDonald (00909), Mr Richard McLean (01190), Mr Robert And Sandra Ross (00895), Mr Steve Ross (00911), Mr Stewart Graham (00899), Mr Wallace Grant (01115), Mrs Dawn Mackenzie (01171), Mrs Ellen W. Smith (01144), Mrs I. Fraser (00955), Mrs Kate Fairclough (01218), Ms Cara Stewart (00982), Ms Eleanor Ross (01136), Ms Halla McLean (01145), Ms Irene Ross (01159), Ms Siobhan MacKenzie (01271), Ms Susan Macpherson (01272), Petition MU1 Ardersier (01315), Sandy Henderson (00918), Scottish Environment Protection Agency (00523), Scottish Natural Heritage (00204)</p>		
Summary of comments received:		
General		
<p>Open Space - Comment was received in relation to green space allocation south of house, "Tigh na Mara" this should be amended to exclude land within the curtilage of this property (furthest south green space allocation to west of Stuart Street)</p>		
<p>SNH - sought the inclusion of Cross-settlement developer requirement that any development site containing a water body should have a great crested newt survey undertaken.</p>		
<p>Waste water treatment - Comment was received indicating that the waste water treatment needs improving in the settlement.</p>		
<p>Agricultural Garage - The agricultural garage located on Stuart Street should be allocated for mixed use development.</p>		
<p>Derelict buildings - Comment also considered that if housing is needed derelict building should be used first, before greenfield development.</p>		
<p>Wider impacts of development - Also that the Plan should consider downstream impacts of wider development in area e.g. sewage etc.</p>		
<p>Further consultation – The development of any of the sites identified should be required to undertake further consultation where implications should impact on making decisions.</p>		
<p>Pocket Garden - In respect of greenspace the "pocket garden" site should be allocated as open space.</p>		

Site specific comments

H1/H2

Sites are considered lesser choices for housing against other sites use only if necessary B1 could act as an access for H1/2 if allocated for housing, although other comment gave no support for H1 on basis of reasons given in the MIR.

H3

Comment supporting the identification of H3 as options to H1/2 but difficult to develop. Comment was also received preferring green space allocation for this site.

H4

Objections received to mixed use and housing allocation, site being retained for the community– allotment, bowling green, boat club. Minimise impact on seaward views SEPA seek a Flood Risk Assessment required prior to plan inclusion prior to inclusion in Plan unless above 3.66 AOD.

Comment was received seeking high quality design of housing in keeping with conservation area. Also comment indicated that development should only be in bottom third of development site.

H5

Site should be identified as option but difficult to develop due to water table. Developer requirements sought by SEPA for FRA and inclusion of consideration of restoration of alignment of watercourse on the site.

MU1

Comments received sought;

- Retention of site option specifically for community and business uses.
- Inclusion of developer requirements for woodland safeguard or compensatory planting, and for protected species survey (including reptiles).
- SEPA require Flood Risk Assessment to be carried out prior to inclusion in the Plan.
- Allocation should specify use as being for caravan/holiday park.
- Deletion of site for any development purposes, propose open space for site.
- Allocation should specify use as being for tourism use only.
- Removal of site for any development purpose.
- Allocation of MU2 for community/amenity use or green space in the Proposed Plan
- Removal of site for any development purpose and allocation of MU1 for open space in the Proposed Plan.
- Allocation should specify use as being for caravan/holiday park with facilities for water sports.

MU2

Objections received to mixed use and housing allocation, site being retained for the community– allotment, bowling green, boat club. Minimise impact on seaward views SEPA seek a Flood Risk Assessment required prior to plan inclusion prior to inclusion in Plan unless above 3.66 AOD.

Comment seeking inclusion of developer requirement to safeguard route of Inverness-Nairn Coastal Trail within site; also the inclusion of requirement for setback of development from road and planting to mitigate visual impact.

MU3

Comment received supporting the potential for mixed use on the site.

B1

Comment seeks reallocation of B1 from Business to Mixed Use; and also for tourism use, specifically as a caravan park. A further comment sought the allocation of B1 for housing in Proposed Plan which could act as access for H1/2

Modifications sought by those submitting representations:

General

- Settlement-wide development requirement for reptiles survey
- Open space designation at 50 Stuart Street to be amended to exclude land belonging to property at Tigh na Mara

H2

- Allocation of B1 for housing in Proposed Plan to allow access to H2.

H3

- Re-allocation of site as open space

H4

- Reallocation of MU2 to community use.
- SEPA require Flood Risk Assessment to be carried out prior to inclusion in the Plan.
- Allocation of H4 either for housing alone or preferable for housing and community uses.
- Re-allocation of H4/MU2 for community use in Proposed Plan
- Re-allocation of H4 for community use.

H5

- SEPA request insertion of text to indicate potential flood risk and requirement for Flood Risk Assessment to support any planning application.

MU1

- Retention of site option specifically for community and business uses.
- Inclusion of developer requirements for woodland safeguard or compensatory planting, and for protected species survey (including reptiles).
- Inclusion of this site as open space.
- SEPA require Flood Risk Assessment to be carried out prior to inclusion in the Plan.
- Allocation should specify use as being for caravan/holiday park.
- Removal of potential for seasonal tourism use (e.g. Caravan park) on this allocation.
- Deletion of site for any development purposes, propose open space for site.
- Allocation should specify use as being for tourism use; caravan/holiday park.
- Removal of site for any development purpose.
- Allocation of MU2 for community/amenity use or green space in the Proposed Plan
- Allocation of "pocket garden" site as open space.

- Removal of site for any development purpose.
- Removal of site for any development purpose and allocation of MU1 for open space in the Proposed Plan.
- Non-allocation of MU1 in the Proposed Plan
- Removal of site for any development purpose.
- Allocation should specify use as being for caravan/holiday park with facilities for water sports.

MU2

- Reallocation of MU2 to community use.
- SEPA require Flood Risk Assessment to be carried out prior to inclusion in the Plan.
- Re-allocation of H4/MU2 for community use in Proposed Plan

MU4

- Inclusion of developer requirement to safeguard route of Inverness-Nairn Coastal Trail within site.
- Inclusion of requirement for setback of development from road and planting to mitigate visual impact.
- SEPA require Flood Risk Assessment to be carried out prior to inclusion in the Plan.
- Reallocate site for community use.

B1

- Allocation to include tourism as part of proposed uses (caravan park)
- Re-allocation of site from Business to Mixed Use
- Re-allocation of site from Business to Housing

C1

H4/MU2

- Re-allocation of site to community use – in particular a sea sports base

MU1

- Inclusion of developer requirements for woodland safeguard/compensatory planting and for protected species survey including reptiles
- Re-allocation of site as open space
- Allocation to include caravan park as part of proposed uses
- Non-allocation of MU1 other than as community/open space

MU4

- Inclusion of development requirement to safeguard route of Inverness – Nairn Coastal trail within site.

Council's summary of responses to comments:

General

Tigh na Mara – The land at Tigh na Mara does not currently form part of the wider open space of the area with the ownership of this area of ground currently being the subject of ongoing discussion. At this point it would not be appropriate to consider this area of land as open space and the boundary will be amended to reflect this position.

SNH - The need for a settlement wide developer requirement, as specified by SNH, to include the requirement for a Reptiles survey will be included in the Plan.

Water Supply and Waste Water Treatment - There is a currently proposal within the Scottish Waters Capital Programme to provide further WWTW capacity. In respect of the water main supplying Ardersier and Fort George is near its carrying capacity and whilst sufficient in the most part to supply existing customers, current peak demand leads to a reduction in pressure and it is almost certain that this main would need to be replaced/refurbished (normally by the developer as remediation) to enable this level of development to take place. The Plan will include a developer requirement for the contribution to or direct improvement of the water network where specified by Scottish Water.

Agricultural garage - The agricultural garage on Stuart Street site is currently occupied and operating; although a residential development has been approved in principle on the site. Existing policies contained within the HwLDP would provide a policy framework for the consideration of any future proposals for the site. Therefore the IMF Plan will not show sites of this nature as allocations in the Plan. Therefore no change is recommended in the Proposed Plan.

Derelict buildings - The Plan has identified various brownfield sites and buildings where policy support is given to redevelopment. There is however also a need to identify a variety of development options to allow choice for developers and also for community initiatives.

Wider impacts of development - The consideration of any development proposal will take into account the impact on wider services and infrastructure as well as consideration of a wide range of issues, this will involve assessment of proposals against a range of policies contained within the Highland-wide Local Development Plan (HwLDP) and the Local Development Plan when adopted as well as any site, settlement and local area considerations.

Further consultation – The Proposed Plan, where there will be further opportunity to comment before the Plan is adopted, will include developer requirements that will need to be considered by developers when bringing forward proposals. Should proposals reach planning application stage, the all planning applications have a period where comments can be submitted to the Planning Authority for consideration. Planning applications for larger developments are also required to carry out public consultation prior to the submission of a planning application.

Open Space - The Council acknowledge that the Pocket Garden forms an important amenity function within the village and will protect this area from inappropriate development.

H1/H2

The non-preferred allocations at H1 and H2 are currently contained within the existing Inverness Local Plan. The effectiveness of the sites has been considered to be marginal in respect of its suitability for development. Both sites lie above the raised beach and their development would have a visual impact from the wider area.

Access to these sites is limited and the existing access road is single track and bounded by private properties making significant access improvement difficult to achieve. The lack of land ownership necessary to achieve an improved access raises concerns regarding

the potential delivery of these sites and their effectiveness to deliver development. As such it is considered that these sites should not be brought forward to the Plan.

H3

This site has the benefit of planning permission for a housing development of 31 dwellings. The development has yet to commence but it is understood that that the development will commence in the shorter term. Although the site is to be developed the proposal will provide an area of green space as part of the site layout in line with existing. Therefore the allocation should be retained within the Plan.

H4/MU2

This site was considered within the Main Issues Report for housing (non-preferred) and for a mix of housing and community use (preferred). The site is currently allocated for community use within the existing Inverness Local Plan although as yet no development has been successfully delivered on site.

The potential may exist to develop a part of the site for 1 house on the High Street frontage which may assist in the delivery of community use on the remainder of the site. Any housing development would have to be sympathetically designed taking account of the conservation area status of this part of the village and to mitigate the visual impact of any built development. The Council recognises the importance of the existing Conservation Area and intend to undertake a Conservation Area Appraisal and draft a Conservation Area Management Plan. Proposals should also consider how it may contribute towards the ability of the remainder of the site to be developed for community use either through improved infrastructure or by direct contribution towards community based proposals. In addition the route of Inverness-Nairn Coastal Trail will be safeguarded where it encroaches onto the site, this area of the allocation is to be developed for community use and these uses should be complimentary to the coastal trail route.

SEPA have objected to the inclusion of the site on the basis that the site is at risk from 1 in 200 year flood risk and consider that a Flood Risk Assessment (FRA) needs to be undertaken prior to the inclusion of the site in the Plan.

The Council, acknowledge that flooding is a consideration for the site but consider that the addition of a developer requirement included in the Plan setting out the need for a FRA to support development proposals will be adequate to address these concerns. The outcomes of a FRA will define the potential developable area and development options for the site; any built development to lie outwith the functional flood plain.

In relation to concerns over flood risk and potential uses and issues in relation to the site these will be specified within developer requirements within the Plan text in relation to issues that need to be addressed by any proposals for development.

Therefore the allocation should be retained as a mixed use site within the Plan. We do not, however, consider that the use of the site solely for housing development is appropriate.

H5

This site has been safeguarded from piecemeal development, in the Inverness Local Plan, to provide for the longer term development of the settlement, and as such the development potential should continue to be recognised within the Plan. There are limited

effective sites within the settlement and the potential for this site commence prior to the timescale of the Plan should be noted with the ongoing potential to continue development in the longer term.

In reference to comment, it is noted that the high water table will present a challenge to the delivery of development on this site. The development of the site would provide a significant expansion site to support the growth of Ardersier. The development has the potential to link with the proposed development at site H3 and also to the existing access serving development at Fettes Road.

SEPA have highlighted the potential of Flood Risk on the site, both coastal and fluvial also have indicated that restoration of the burn to the southern boundary of the site would be appropriate as the burn has been historically aligned. The Council consider that there is a need for a Flood Risk Assessment to support any development proposals and a full Drainage Impact Assessment may be required as indicated by the Supplementary Guidance on Flood Risk and Drainage.

In relation to concerns over flood risk and potential uses and issues in relation to the site these will be specified within developer requirements within the Plan text in relation to issues that need to be addressed by any proposals for development.

Therefore the allocation should be retained to serve the longer term development aspirations of the settlement.

MU1

The site was preferred within the Main Issues Report and has received several objections to its inclusion within the Plan as an allocation for community and business use. Diverse opinions were expressed as to whether the site has capacity to be developed for any use; retained as open space or to be utilised for a tourist related development (e.g. caravan /holiday park). Scottish Natural Heritage has also submitted comment also seeking a woodland safeguard or compensatory planting and also the need for a protected species survey (including reptiles).

SEPA have identified that the site is at risk from 1 in 200 year flood risk and have stated that a Flood Risk Assessment (FRA) undertaken prior to the inclusion of the site in the Plan. The Council, acknowledge that flooding is a consideration for the site but also that the addition of a developer requirement included in the Plan setting out the need for a FRA to support development proposals will be adequate to address these concerns. The outcomes of a FRA will define the potential developable area and development options for the site; any built development to lie outwith the functional flood plain.

The site does appear to have potential to serve a wider function by providing a destination for tourists that wish to utilise provided facilities to surfers and other water sports and also to other users of the beach and those visiting the general area. In addition the capacity may exist for the provision of caravans/pitches subject to a sympathetic layout and design. Development options for the developable area of the site should only relate to the provision of tourist accommodation (caravans) and development related to the provision of facilities related to supporting water sport recreation.

Therefore the allocation should be retained to provide potential for business and tourist

related development, subject to the inclusion of appropriate developer requirements to address any issues with the development of the site.

MU2

See H4/MU2 above.

MU3

Only a single comment was received in respect of this proposed allocation (preferred), and that supported the potential for mixed use on this site. The comment also sought the retention of trees currently on site. The potential for development indicates potential for housing, business or community. Developer requirements for the development of this site will include the need to consider potential contamination issues with potential uses for the site being guided by the outcomes of study; safeguarding of mature trees on site will also be a consideration.

Therefore the allocation should be retained to provide potential for mixed use development, subject to the inclusion of appropriate developer requirements to address any issues relating to potential contamination and retention of trees with the development of the site.

MU4

This site was preferred within the Main Issues Report for mixed use development including housing and business/employment uses.

Concern has been raised regarding the safeguarding of the route of Inverness-Nairn Coastal Trail within site. The HwLDP includes policy in regard to development of green networks this includes reference to the coastal trail. There is an obligation for development to maintain and enhance the existing green network. Inclusion of requirement for setback of development from road and planting to mitigate visual impact. Developer requirements could highlight this requirement in the Plan.

SEPA have identified that the site is at risk from 1 in 200 year flood risk and consider that a Flood Risk Assessment (FRA) needs to be undertaken prior to the inclusion of the site in the Plan. The Council consider that there is a need for a Flood Risk Assessment to support any development proposals and a full Drainage Impact Assessment may be required as indicated by the Supplementary Guidance on Flood Risk and Drainage. The outcomes of a FRA will define the potential developable area and development options for the site; any built development should lie be outwith the functional flood plain.

Comment was also received suggesting the reallocation of the site for community use, however the site currently operates as part of a dairy farm and also includes cheese production as part of its activities. The proposal by the landowners is to expand employment opportunities while relocating the dairy unit to a more central location within the farming operation, with the addition of an element of housing development linked closely to the existing settlement.

Therefore the allocation should be retained to provide potential for mixed use development, subject to the inclusion of appropriate developer requirements to address issues relating to flood risk with the development of the site.

B1

This site was preferred within the Main Issues Report for expansion business uses on site and is located adjacent to existing business land.

Comments were received for this business allocation to be reallocated for either housing or tourism use (caravan park) in addition to comments received supporting the site for business use.

The intention of allocating the site is to offer expansion land to the existing adjacent business use. Development on this location for either tourism or residential use would be incongruous to that existing and may suffer from noise nuisance. Development for Housing has been suggested as a way of providing access to sites (non-preferred) H1 and H2, however this would also require improvements to the existing access or providing a new access through the site and beyond. In addition the best location for a caravan park would be better located in a coastal location.

Therefore the allocation should be retained to provide potential for business development.

Recommended Proposed Plan Content:

- The Proposed Plan text and mapping is available within the Committee papers
- In summary, the following MIR sites are retained:
H3, H5, MU1, MU2, MU3 & MU4.
- C1 is retained but with a reduced site extent.
- All remaining MIR sites are not retained

Issue	AULDEARN	
MIR reference:	MIR 7.06	
List of persons and organisations who submitted comments (including reference number):		
Mackintosh Highland (00887), Mackintosh Highland (00890), Mr John Bain Mackintosh (00091), Scottish Environment Protection Agency (00523), Scottish Natural Heritage (00204), The Scottish Government (00957)		
Summary of comments received:		
<p>General The Proposed Plan should include a cross-settlement developer requirement for any development site containing a waterbody to have a great crested newt survey undertaken.</p> <p>H1a)</p> <ul style="list-style-type: none"> • Site should be removed unless a Flood Risk Assessment is undertaken prior to inclusion in Proposed Plan; • Site lies within or partly within the Auldearn Inventory Battlefield site therefore support non-preferred status. <p>H1b)</p> <ul style="list-style-type: none"> • Site should be removed unless a Flood Risk Assessment is undertaken prior to inclusion in Proposed Plan. The Auldearn Burn runs along the boundary of the site; this is currently at moderate status for morphology with realignment being the main pressure. At least part of the section along the site boundary is historically realigned and would be a priority for restoration. Development of the site should therefore consider the requirement for restoration of the watercourse allowing appropriate space for restoration works and space for future development of natural processes. Diffuse pollution is an issue for this waterbody aswell; • Public sewer connection still required; • Site lies within or partly within the Auldearn Battlefield Inventory site – support non-preferred status. <p>H2</p> <ul style="list-style-type: none"> • Boundary of site should be enlarged to include the 3 adjoining green areas – this would better accord with boundary of site’s previous outline consent and would not restrict layout design options for the undeveloped part of the site. Green space could be provided in accordance with policy at detailed planning application stage; • HS note that this housing allocation lies within the Auldearn Battlefield Inventory site and more specifically in an area known as Montrose’s Hollow. This allocation is contained within existing Nairnshire Local Plan and an area of the Hollow to the east has already been developed. However this area played an important part in the formation of Montrose’s troops and HS welcome that the MIR recognises this and requires suitable landscaping in consideration of the character of the area; <p>H3</p> <ul style="list-style-type: none"> • Support for allocation of site; • SEPA will not object subject to modification of text to state that a FRA will be 		

required to support any development and outcome may adversely affect the developable area or development options on the site – FRA required in support of any planning application.

H4

Support for allocation of site

Modifications sought by those submitting representations:

H1a)

- Removal of site unless inclusion is supported by a FRA

H1b)

- Removal of site unless inclusion is supported by a FRA.

H2

- Site boundary to be enlarged to include the 3 adjoining green areas
- Requirement for suitable landscaping at area around Montrose's Hollow (as shown in MIR)

H3

- Text modified to state FRA required to support any development and outcome may adversely affect the developable area or development options of the site. FRA will be required in support of any planning application.

Council's summary of responses to comments:

General

The suggested inclusion of a cross settlement requirement for sites containing a waterbody to have a great crested newt survey undertaken is acknowledged; this is likely to apply to site H3 only in Auldearn and will be included as a developer requirement for this allocation.

Sites H1a) and b)

It is acknowledged that both these sites lie within a known area of flood risk; both sites were therefore included in the Main Issues Report with non-preferred status as a result. SEPA have also raised additional issues in relation to Site 1b) in terms of the requirement for restoration of the Auldearn Burn and the space required for such works. Both sites are also located within the Auldearn Battlefield Inventory site. It is therefore felt that neither site should be included in the Proposed Plan given these issues.

Site H2

This allocation has been carried forward from the existing Nairnshire Local Plan. However it is acknowledged that the site could be amended to better reflect the current planning permissions and development which has already been built out. It is therefore proposed to amend the boundary of the allocation to include the two green areas to the south and west which are the subject of planning approval and progression of development. It is proposed to retain the larger area of green space to the north of the allocation; this includes the area known as Montrose's Hollow which is of historical significance and should remain protected from development.

Site H3

It is acknowledged that this allocation is located within an area of known flood risk. Therefore the allocation does not include the site in its entirety as was suggested during the Call for Sites process, with the boundary refined to take account of flood risk. Developer requirements for this site will therefore include a Flood Risk Assessment to be provided in support of any planning application.

Other issues (not raised in representations)

Allocation H4 – this was included in the MIR given planning permission for conversion of the former steading was in place. This has now lapsed and a subsequent application for demolition and redevelopment of the site for 9 units has been refused; regardless it is proposed to retain the

allocation to promote regeneration of the site. Developer requirements will specify that the older, more traditional parts of the building are to be re-used/converted wherever possible. The SDA boundary also requires to be re-drawn closely along the boundary of H4 (excluding open area of land between H4 and current SDA as shown in the MIR)

Recommended Proposed Plan Content:

- The Proposed Plan text and mapping is available within the Committee papers
- In summary, the following MIR sites are retained:
H2, H3, and H4.
- All remaining MIR sites are not retained
- No new sites are recommended for retention within the Proposed Plan

Issue	CAWDOR	
MIR reference:	MIR 7.17	
List of persons and organisations who submitted comments (including reference number):		
Alison Lowe And Michael Hutcheson (00520), Croy And Culloden Moor Community Council (00028), Douglas And Pauline Fraser (01257), Highlands & Islands Green Party (00491), Mr Hugh Robertson (01027), Mr Phil Anderson (01259), Mr Ralph Treadgold (01046), Mrs Joan Noble (00879), Mrs Patricia Treadgold (01045), Scottish Environment Protection Agency (00523), Scottish Natural Heritage (00204), The Dowager Countess Cawdor (00506), The Trustees Of The Cawdor Scottish Discretionary Trust (00984)		
Summary of comments received:		
General		
<ul style="list-style-type: none"> • Suggests inclusion of cross settlement requirement for any development site containing a waterbody should have a great crested newt survey undertaken; • The same requirements outlined in the Highland-wide LDP should also be included in the Proposed Plan in respect of Cawdor Wood SAC; • The effective creation of a new settlement at Cawdor should be resisted • The boundary of the Conservation Area should be expanded to include allocation MU1 to ensure development is sensitive to the character of the village • Increased traffic from large scale development in Croy and Cawdor should be considered carefully – scale of development proposed for these settlements should be reconsidered due to impact of commuter traffic on the A96 and B9006 at the outskirts of Inverness which could impact on the attractiveness of quality and reduced pace of life in the Highlands; • There are insufficient services on which to base this proposed growth; 		
MU1		
<ul style="list-style-type: none"> • Object to the site as it will magnify the dormitory function of Cawdor because of the lack of local employment; the B9906 is a visually sensitive tourist route and has insufficient capacity to accommodate the additional trips generated; • Text should be modified to state that an updated FRA would be required to support any development and outcome may adversely affect the developable area or development options on the site; • Plan should reflect Policy 22 of HwLDP and not fragment the masterplan study area; • Support for allocation which is deliverable with one single landowner; significant cons listed in MIR are overstated and will be resolved as part of framework; • Areas shown as preferred/non-preferred open space at Newton of Cawdor should be included as per the masterplan study area; • Tenant farmer of fields at Newton of Cawdor objects to allocation in this area as these fields are fundamental to operation of farm; • Loss of prime agricultural land 		
H1		

- Development must be undertaken sensitively;
- No Flood Risk Assessment required;
- Support for allocation which is infill development

H2

- Object to this allocation due to proximity to Cawdor castle which is a Grade A Listed Building as well as other Listed Buildings in the village – the site also lies between the conservation area of the Big Wood which is considered one of the most outstanding native woodlands in north-east Scotland. Development of the site would impact on the setting of the Castle;
- Support for inclusion of site

B1

- Support for Council's non-preference of site – outwith the SDA and comparatively distant from the settlement;
- Object to consideration of this allocation which is a sensitive site which would detract from the setting of the Castle;
- Site should be brought inside Conservation Area;
- Allocation should be included in Plan as per Nairnshire LP

Alternative Sites consultation

Cawdor NS1 - Cawdor Village Centre

- Cawdor Estate encourage redevelopment of this parcel of land provided that any future use is compatible with, and does not undermine the Masterplan proposed as part of the Highland-wide Local Development Plan. The site is brownfield and it is within the Masterplan search area "allocation".
- Cawdor Estate would agree that it could be suitable in principle therefore for business uses of a similar character; and for residential.
- Cawdor Estate would not oppose other uses, but these should proceed as part of the Masterplan. In that regard, commercial uses - retail, leisure, tourist and office - are planned "village centre activities" to create a viable village centre - with sufficient mixed use activity and critical mass.
- Design would be compatible with Conservation Area policies; and policies are in place to protect trees
- Any proposals should fully respect the policy objectives of the Highland-wide Local Development Plan. In that regard it is essential that any preconceived phasing of development ahead of the masterplan process concluding or any fragmentation of the masterplan "footprint" is discouraged. A successful masterplan is fully dependant on a co-ordinated approach to deliver a design quality consistent with the conservation area. Notwithstanding reasonable infill/consolidation is acceptable.
- Support the inclusion of this site within the "Proposed Plan" of the Inner Moray Firth Local Development Plan. With the planned growth within the village of Cawdor, our client feels that this site would fit well, with opportunities for residential and other uses. We note that one of the identified downsides of the site is the potential impact on woodland. Whilst there are a number of trees on the fringes of the site, our clients feel that with careful planning these could be incorporated into any proposed future development on the site without any significant impact.
- SNH indicated concerns over potential impacts re woodland on site; impact on part of green network by river; species survey and protection plan if necessary;

maintenance of woodland alongside river; measures for compensatory tree planting.

Modifications sought by those submitting representations:

General

- Inclusion of cross settlement requirement for any development site containing a waterbody should have a great crested newt survey undertaken.
- Inclusion of same requirements of HwLDP in respect of Cawdor Wood SAC
- Expansion of Conservation Area boundary to include MU1 allocation
- Extension of boundary to north (considered as part of new sites)
- Reduction in scale of development
- Allocation of B1 (non-preferred)
- Inclusion of a new allocation at the Old Smithy

MU1

- Non retention of site
- Text modified to state a FRA will be required in support of any planning application – outcomes will determine development options of the site.
- Allocation to reflect HwLDP Policy 22 and not be segregated
- Removal of agricultural land at Newton of Cawdor from allocation and protected from development

H2

- Removal of allocation due to proximity to Cawdor Castle/ outstanding woodland

Council's summary of responses to comments:

General

The suggested inclusion of cross settlement requirement for any development site containing a waterbody to include a great crested newt survey as part of any planning application is acknowledged; this will be included in the Proposed Plan. The developer requirements set out in Policy 22 of the Highland-wide LDP will also be referenced into the Proposed Plan.

In terms of extending the boundary of the Conservation Area to include allocations MU1 and B1. The land allocated at MU1 are greenfield sites with no discernible characteristics that merit protection, however, Cawdor Home Farm is a category B Listed Building and its inclusion in the conservation area should be given consideration. The Council recognises the importance of the existing Conservation Area and intend to undertake a Conservation Area Appraisal and draft a Conservation Area Management Plan. To help implement the Management Plan, the Council intend to prepare Supplementary Guidance which identifies the appropriate scale, massing and location for new development as well as appropriate types of materials to be used for such development and in the alteration, extension and refurbishment of traditional buildings throughout Cawdor Conservation Area. It is the intention that this would be adopted as statutory Supplementary Guidance.

MU1

This site is currently allocated in the HwLDP and is being carried forward as part of the strategy for the Inner Moray Firth Local Development Plan. The principle of development on the site has been established and tested through the HwLDP plan process. The HwLDP sets out a phasing plan which is considered to be proportionate and in line with

the need to provide for a generous land supply. The site is subject to a detailed masterplanning exercise which is an ongoing process with opportunities for community input. Representations have been received on the impact of this development on a range of infrastructure issues, including transport, drainage and community facilities. The developer requirements set within the Highland-wide Local Development Plan seek to address many of the concerns raised and these requirements will be carried forward to IMFLDP Proposed Plan. Pre-application advice for the site has been provided to the developer previously; this involved detailed discussion with other Council services and other agencies. No major issues were raised that questioned the principle of development on the site. Rather, issues were raised to be addressed by any developer.

No objections have been received from Transport Scotland in relation to strategic transport implications or from Scottish Water in respect of wastewater treatment or water supply capacity. Local road improvements and contribution to wider strategic improvements will be required.

Agricultural Land - Newton of Cawdor

The Council appreciates the concerns of the tenant farmer in relation to the potential loss of agricultural land – it should be noted however that this land is part of a wider allocation; the precise uses of which are yet to be fully determined. The allocation is segregated in order to provide greater detail and certainty than that of the HwLDP. In terms of servicing, no objections to the site were or have been received from key agencies such as Scottish Water or Transport Scotland.

H1

Support for the allocation is noted. As with MU1, the site is part of the wider masterplan framework for Cawdor and included in Policy 22 of the Highland-wide Local Development Plan therefore the principle of development is now established. The site lies within the Conservation Area therefore developer requirements which specify that development must be sensitive to the area.

H2

As with H1 and MU1 the site is part of the wider masterplan framework for Cawdor and is included in Policy 22 of the Highland-wide Local Development Plan. However it is acknowledge that this is a particular sensitive site which has an open feel to it, with the existing pattern of development concentrated to the other side of the road. Developer requirements will therefore outline the need for sensitive design in keeping with this location and a limited number of units.

Alternative Sites Consultation

Cawdor NS1, Cawdor Village Centre

The site is brownfield and is contained within the existing built extent of the village and also within the existing conservation area boundary. The existing buildings on site have had a variety of different uses in recent years. It is considered that this site could be used for a variety of uses subject to the various considerations and constraints on the site, such as the existing mature trees and the need for a high standard of design.

This location occupies an important location within the existing and planned extent of the village and the developer led masterplan should seek the involvement of the landowner in the exercise to map the future growth of the settlement. In anticipation of that exercise it is

appropriate that that this site is has the potential to fulfil a variety of roles in the future.

Therefore it is considered that this site should be carried forward to the Proposed Plan as a mixed use allocation.

Recommended Proposed Plan Content:

- The Proposed Plan text and mapping is available within the Committee papers
- In summary, the following MIR sites are retained:
H1, H2, and MU1,
- All remaining MIR sites are not retained
- New site NS1 is recommended for inclusion within the Proposed Plan

Issue	CROY	
MIR reference:	MIR 7.3	
List of persons and organisations who submitted comments (including reference number):		
Alison Lowe And Michael Hutcheson (00520), Church Of Scotland General Trustees (01040), Croy And Culloden Moor Community Council (00028), Donald Boyd - Collective Response (01351), Highlands & Islands Green Party (00491), Mrs C Stafford (00511), Mrs E Holland (00509), Scotia Homes, Barratt East Scotland And Robertson Homes (01310), Scottish Environment Protection Agency (00523), Scottish Natural Heritage (00204)		
Summary of comments received:		
General		
<ul style="list-style-type: none"> • Enhancement of existing infrastructure is required before any new development takes place in the area • Questions the gas pipeline being a constraint and the set back which is required for development; • Supports the Council's aim of increasing sustainable transport but believes that increasing the population of Croy will not help this as there are very few public transport services; • Prime agricultural land should be protected for food production and provides local employment • The Council's housing predictions have not been met and there is not such a demand for housing as the figures indicate • There is an optimum size for a rural community and Croy is now reaching that point. Increasing it further will result in it becoming another suburb of Inverness • There is limited capacity in the sewage works; only limited development should take place until major employment opportunities are available at the planned airport business park and there is limited capacity at Culloden Academy. Development should be coordinated carefully to ensure educational provision keeps pace with the demands of numerous development sites in the area. • Concern additional burdens on existing waste water treatment infrastructure may impact upon Loch Flemington SSSI SPA. • Concerned that the local road system should not be expected to carry a lot more development without significant improvements. There have been 4 fatalities in three accidents in recent years a Croy. • Considers more could be made of the history of the 'Clach na Sanais' the legend of which is noted by the Highland Council Archaeology Department - and safeguards should be in place to ensure that it suffers no detriment. • Site to east of Heathfield should be considered for development as it has good accessibility, is well drained and relatively flat. • Sufficient information is not given to enable considered comments on aspects of the plan. Understand supply of water is constrained and there is uncertainty as to where additional supplies can be sourced from. This must be resolved before large scale development promoted in the plan can be supported. • Westhill, Croy, Smithton, Inverness South, Balloch, and Kirkhill and Bunchrew Community Councils have prepared a collective response. The collective 		

Community Councils consider that there is a need to carefully phase development over the longer term, and are concerned about the removal of the 25% settlement expansion policy. The necessary infrastructure should go in before development.

- Object to 'no more than 25% development of a settlement in a 10 year period' policy no longer applying. Supported this policy as it enabled smaller communities to retain a sense of their identity, being able to absorb newcomers and help them become part of the community they have moved into. Request it is reinstated.

H1/H2

- No Flood Risk Assessment required;
- Objects to non-preference of sites H1 and H2. Respondent accepts that both sites are outwith the current settlement boundary but this is only because it is drawn to exclude Mains of Croy, Cawdor and Croy and Dalcross Manse and Croy and Dalcross Church. Respondent thinks these should all be within the settlement boundary as historic and culturally important buildings and therefore site H2 would become an infill site and H1 would be a rounding off site. H1 is approximately a 600m walk to Croy Primary School which is not much more than from certain houses in Heathfield and closer than parts of development allocated at MU1.
- There is already ribbon development along the B9006 and further development at H1 and H2 will not change this. However with appropriate landscaping and high quality designed buildings, there is the opportunity to enhance this part of the village.
- The existing B9006 is narrow in places however with development taking place throughout the village there is opportunity to widen it and introduce new passing places and perhaps a pavement. The Church controls land along part of the road (H3) and would be willing to discuss this. The Church also controls road frontage at H1 and H2 and would consider road widening and new passing places in these locations. H1 could provide a new gateway feature for the village.
- Disagrees with Council's non-preference for H2. Considers limited development should be supported in the form of an affordable housing development or select private development to facilitate construction of affordable housing on H3. Development at School Brae/Ardgowan is accessed from a single track road.

H3

- Site should be HRA assessed for possible impact upon Loch Flemington SPA - i.e. Sewerage treatment for site should not increase phosphorous levels in loch;
- Development of MU1 and H3 would constitute excessive development and therefore we only support the MU1 development, properly masterplanned and phased.
- Any development on H3 should be low rise but perhaps slightly higher density with semi-detached bungalows and 'back to back' units to provide a choice and range of affordable units in the village. This would be in keeping with existing small properties in that part of the village.
- No Flood Risk Assessment required

MU1

- Objects to site because: excessive scale relative to size of existing community; poor surface water and ground conditions; part of Loch Flemington catchment and

risks of pollution of that water body; not possible to form safe access connection to B9006; previous community opposition has been ignored; it will only magnify the dormitory function of Croy because of the lack of local employment; it will promote more car journeys because of the lack of and expensive price of public transport; the B9006 is a visually sensitive tourist route and has insufficient capacity to accommodate the additional trips generated especially at its Inverness end; Main Issues Report did not contain a comprehensive list of cons for the site and therefore the Council have based its preference on an erroneous and incomplete judgement; lack of housing types suitable for the elderly, and; better alternative housing sites available such as east of Heathfield where access and drainage is easier.

- Site should be HRA assessed for possible impact upon Loch Flemington SPA - i.e. Sewerage treatment for site should not increase phosphorous levels in loch.
- Development of MU1 and H3 would constitute excessive development and therefore we only support the MU1 development, properly masterplanned and phased.
- "Objects to MU1 site in Croy due to poor surface drainage with several natural springs in the area which feed into the Croy Burn and in turn the regenerated Loch Flemington. This can result in flooding and earth movement which has been seen at adjacent housing development; access is a problem. Respondent suggests ""building on flat land east of Croy would be preferable over MU1."
- "Questions where trees at the northern boundary of the site are and notes the site is also traversed by a 'prong' of the Kildrummie Kames. Requests development of the site does not disturb Croy Burn and surrounding area as Croy Burn flows into Loch Flemington. Notes that SEPA, SNH and the CEH have been working together to ensure that polluting inputs are minimised further to significant monies being spent to clean up the loch. Also concerned that any disturbance of the geology in the local area will impact on pollution into the Loch via the groundwater.
- High rise development on MU1 should be discouraged and low level development encouraged. Unit numbers on the site should allow for measures to protect the burn and the local geology and history. No problem with compact semi-detached bungalows but these should not be shoe horned into the site with no thought to environment.
- Substantial part of MU1 is unsuitable for development due to adverse ground conditions. There is a steep slope and extremely boggy area through which the Croy Burn runs. Suggest boundaries are redrawn to reflect true site conditions.
- No Flood Risk Assessment required
- Supports reaffirmation of site and minor extension to include land west of Dalcroy Road for mixed use because: the land is effective, deliverable and in a single, developer, ownership; a planning application will be lodged soon; community consultation has already taken place; it is allocated within the recently adopted HwLDP; it is earmarked for longer term expansion in the Inverness Local Plan 2006; it offers an opportunity for a high quality, masterplanned development; it will offer reasonable and proportionate developer contributions and can be mixed use and phased; other uses will include open space, allotments, wild meadow, woodland and commercial units, and; Scotia have listened to community comments and made several changes to reduce housing numbers and density and to increase community elements.
- Development of MU1 and H3 would constitute excessive development and therefore we only support the MU1 development, properly masterplanned and

phased.

-

Modifications sought by those submitting representations:

General

- Revision of key development considerations to state limited capacity in sewage works and limited capacity at Culloden Academy
- Reduction in scale of development allocated at Croy
- Allocate new site at Heathfield

H1 & H2

- Revision of settlement boundary to include the Manse and Church and allocation of H1 and H2

H3

- Requirement of H3 to be low rise with semi-detached bungalows
- Developer requirement for highest standard of treatment of effluent

MU1

- Removal of site
- Developer requirement for highest standard of treatment of effluent
- Requirement for site MU1 to not to disturb the Croy Burn and to be low rise development
- Reduce size of MU1 to exclude undevelopable areas (steep and boggy areas)
- Uses proposed (by developer) to include housing, open space, allotments, wild meadow, woodland and commercial units

Council's summary of responses to comments:

General

A potential new site at Heathfield has been suggested by a number of representations; this was considered as part of the new sites process however given there is no known landowner/developer interest the site cannot be considered effective and therefore the Council would not be in a position to allocate it through the IMFLDP.

The model used to prepare the A96 Corridor Transport Study (September 2010) did include provision for limited expansion of key villages in the corridor. The transport zone for Croy included a total development of 200 houses in the period to 2031, roughly at a rate of 10 per year. The impact of this development is therefore included in strategic transport considerations.

Regarding housing numbers, the Council has set out a phasing plan within the HWLDP which will again be carried forward to the IMFLDP Proposed Plan; this is considered to be proportionate to the size of the settlement and in line with the need to provide for a generous land supply. There is a clear requirement set out in policy for any development to meet this phasing strategy, and recognition that any development beyond 2031 will be informed by future Local Development Plan reviews. This will allow for an ongoing monitoring of the impact of the development on Croy and surrounding areas. Overall, the

phasing of development, if managed appropriately, and with the developer requirements having been met, is regarded as being within acceptable level of development, and broadly reflects what has taken place in the village over the last five years.

Comment has been made that Policy 2 of the Hinterland section of the [Inverness Local Plan](#) (page 58), which states that the Council will seek to ensure that house building does not generally exceed 25% of the number of existing dwellings in the settlement should be reinstated. It is the Council's position that the policy relating to this site as set out in the Highland-wide LDP supersedes that set out within the Inverness Local Plan and that the revised strategy is now more appropriate given the wider A96 Corridor context and the need to provide a generous supply of housing land. The phasing strategy as set out is greater than 25% but the facilities, services and infrastructure in the village are considered to be sufficient (with any appropriate mitigation) to accommodate the additional levels of growth in the short to medium term.

MU1

Allocated site in Highland-wide LDP for long term expansion and this principle of development is established as part of the supporting role for smaller settlements for the Inverness to Nairn growth area. This is effective, deliverable site in with a single ownership with developer.

A number of respondents have commented on the impact of development in Croy on a range of infrastructure issues, including transport, drainage and community facilities. The developer requirements set the Highland-wide LDP seek to address many of the concerns raised and these will be carried forward into the IMFLDP Proposed Plan. The pre-application advice offered for the site involved detailed discussion with other Council services and other agencies. No major issues were raised that questioned the principle of development on the site, rather issues were raised to be addressed by any developer. No objections have been received from Transport Scotland in relation to strategic transport implications or from Scottish Water in respect of wastewater treatment or water supply capacity. It is acknowledged that cumulatively alongside other development in the Inverness-Nairn Growth Area there will be a need for improvements across the wider area.

The Council is aware of issues with surface water drainage – the Proposed Plan will outline that a solution to this issue must be devised as part of development of the site.

Accordingly the site should be retained with developer requirements set out to highlight issues relating to the development of the site.

H1 & H2

It is noted that there is ongoing developer interest in developing both these sites which are within the ownership of the Church of Scotland. However the Dingwall to Moray high pressure pipeline runs through the H1 site. Given the size of the site and the buffers/setback required it is not considered capable of accommodating any development and was therefore identified as being a non-preferred option at Main Issues Report stage. H2 presents a better option for development and is an effective site; the Council acknowledges that this site could therefore be brought forward in the short term for a small number of houses. A small infill site of the nature of H2 can be addressed within existing policy and accordingly, the site should not be retained within the plan, but to be included

within the settlement boundary to allow the potential for infill development.

H3

It is noted that the landowner is seeking an increase in indicative capacity for the site from 15 (as per the Inverness Local Plan) to 48. An indicative capacity will however take into account that a setback may be required from the sewage works located to the north west of the site is required and there are known drainage problems on the site which may restrict the potential for development. It is also suggested that a village green is incorporated within the southern section of the site.

In regard to concerns to development impacts on Loch Flemington, the proximity of Croy and any other development proposals within the catchment of Loch Flemington Special Protection Area and the potential effect on the water quality of the loch is a specific risk that requires area local development plan coverage. The Council will produce supplementary guidance to require that all development proposals within the water catchment of Loch Flemington will be required to utilise foul drainage arrangements.

Recommended Proposed Plan Content:

- The Proposed Plan text and mapping is available within the Committee papers
- In summary, the following MIR sites are retained:
H3 and MU1. Site H2 is to fall within the settlement boundary but not to carry a specific allocation.
- New policy entitled "Development within the Water Catchment of Loch Flemington".
- All remaining MIR sites are not retained.
- No new sites are recommended for retention within the Proposed Plan.

Issue	DORES
MIR reference:	Main Issues Report (MIR) 7.4
List of persons and organisations who submitted comments (including reference number):	
Church Of Scotland (00663), Dr William Erskine (01061), Highlands & Islands Green Party (00491), Mr Iain Cameron (01043), Mr John Hedger (00636), Mr Ruairidh MacIannan (01019), Scottish Canals (00655), Scottish Environment Protection Agency (00523), Scottish Natural Heritage (00204)	
Summary of comments received:	
<p>GENERAL ISSUES</p> <ul style="list-style-type: none"> • Community Council supports the zoning of additional land for housing on the condition that consideration and upgrading where necessary is given to the road infrastructure within the village and between Dores and Inverness. • Settlement wide developer requirement for species surveys including reptiles. • A few stopping points on Loch Ness and new moorings at Dores could be beneficial. <p>MIR SITES</p> <p><u>H1</u> There is general opposition to the site due to concerns about loss of trees, particularly the loss of remaining broadleaf woodland. Other issues raised include visual impact of development, steepness of slope, distance from the village centre and ribbon development, which will damage character of the village. Several respondents suggested other sites in the village were more appropriate for development including MU1, H2 and H3.</p> <p><u>H2</u> One respondent objects as it will create ribbon-type development which will damage the character of the village and supports infill sites instead. Respondents in support note that there is good access, its is close to the village centre, topography helps to screen it and there is an opportunity to secure land for playing fields from the same landowner, on site C1.</p> <p><u>H3</u> One objection which states it is excessive development and MU1 is the only appropriate site. Flood risk assessment required by SEPA.</p> <p><u>MU1</u> Landowner reassures of its intention to release the site for development and asserts that it is a natural infill site. However, another respondent questions its deliverability and the value of having it in the Plan.</p> <p><u>C1A & C1B</u> There is general support to see the sites safeguarded from any development and protected for community/amenity uses. There is an objection for any built development as it is a nationally important Geological Conservation Review site. It is noted that the site</p>	

should be safeguarded physically and as an educational resource. SEPA note a flood risk assessment will be required.

B1

Despite the need for additional business space in Dores, one respondent objects to B1 allocation as it is unrealistic it will ever be delivered because it is too small, is surrounded by housing and is used for overflow parking and as a turning circle. Same respondent suggests that a much more appropriate site is within the car park of the Dores Inn as its is close to services and existing businesses, negative impacts will be contained and it has potential for a visitor centre. A respondent emphasises the need for high quality design and minimal noise/light pollution.

Modifications sought by those submitting representations:

GENERAL ISSUES

- Settlement-wide developer requirement for species surveys including reptiles.

MIR SITES

B1

Seeks removal of B1 and alternative business site within Dores Inn car park.

H1

Non retention of site option or the reduction of it to only cover that part closest to B852.

H1, H3, C1A and C1B

Opposition to built development. SEPA request requirement for Flood Risk Assessment.

Council's summary of responses to comments:

GENERAL ISSUES

Infrastructure Improvements

The Council recognise the limitations of the B862 and this is reflected in the level of development which is being allocated in the area. The Council will continue to seek improvements to the connections between Dores and Inverness such as securing a formal national cycle network route and where possible encouraging segregated cycle/pedestrian lanes.

Species Surveys

Non species-specific issues are already addressed via the Council's Highland wide Local Development Plan general policies. However, a specific reptiles survey requirement reference would be appropriate.

Moorings at Dores

Scottish Canals have highlighted that new moorings could be developed at Dores as there are few stopping points on Loch Ness. No specific details have been provided and any proposals would need to be considered against the policies within the HwLDP rather than site allocations in this Plan.

MIR SITES

H1

Dores' expansion options are limited by physical constraints – steeper, wooded land to the

east and Loch Ness to the west – and by the concentrated pattern of land ownership. Accordingly, site selection is focused north and south of the village and on the remaining central, undeveloped site. This central site has been allocated for almost 20 years and suffers from land availability issues. Against this context and the need for affordable housing, the Small Communities Housing Trust investigated the feasibility of site H1 for development. It is recognised that the site is constrained in terms of woodland, gradient and potential prominence should trees be felled. However, it and H2 are the closest available sites to the village centre if one accepts that the open fields north west of the village are sacrosanct in terms of built development. The woodland cover on H1 has limited amenity value and the deciduous parts at the loch-side could be safeguarded with appropriate setback required by any developer. This retained deciduous belt will act as a summer screen and eliminate (or at least reduce) any prominence issue. Careful siting and a high standard of architectural design quality will also reduce potential adverse impacts. It is recommended that the flatter, western part of the site is retained with a Flood Risk Assessment required for any planning application. A wind stable tree line must be retained and augmented as required to screen the development from the surrounding area. Improved footpath connections must be provided, most sensibly using the existing hall access road and providing new vehicular access to the hall via a new junction off the B852. Connection to the public sewer network will also be required. The steeper section to the east should not be retained within the plan as a positive allocation but may have limited infill development potential and should therefore remain within the Settlement Development Area.

H2

The development site selection dilemma for Dores is as outlined in the response to H1 above. The site does have the advantages of no flooding issues, the land is relatively flat compared to alternatives, not wooded and is closer to the primary school than alternatives. On the down side it does represent an incursion into an open agricultural field which sets a precedent for further development at this location. On balance, the site should be retained but with strict developer requirements on design, layout and new screen planting to reduce prominence and to define a new, defensible village edge. Although no direct land use connection exists, the Plan should encourage the landowner to discuss the future of land opposite with the local community with a view to making it available for community sports pitch provision.

H3

The site has planning permission and has largely been developed. Accordingly, the site is not proposed for retention. It has very limited extant capacity and the Council does not wish to encourage further development within it.

MU1

As stated above in the response to H1, the site is ideally located in the centre of the village but suffers from land availability and gradient issues on its south and east margins. It is re-allocated for a wide mix of development subject to high quality siting and design and a safeguard for extension of the burial ground.

C1(a)

The widespread support for the allocation of C1(a) in order to safeguard it for community/amenity space - specifically for sports facilities - is recognised and supported by the Council. Due to the geological value of the raised shoreline site (Geological Conservation Review site) built development should be limited to non permanent (no foundations) built development. Any built development should also be screened by new vegetation in order to protect the iconic Loch Ness vista. The site should be retained within the Proposed Plan however the boundary of the site should be reduced to reflect the size

of site needed for such sporting and associated facilities.

C1(b)

See C1(a) above. A smaller area is required for sports use and therefore the site should not be retained.

B1

The Council recognises that the former petrol station site is not likely to be feasible as a business site. It is small, may be contaminated and performs a useful overflow parking and turning area function. Accordingly, it should not be retained. However, the alternative suggested site is similarly too small and used for beach and inn access, turning and parking.

Recommended Proposed Plan Content:

- The Proposed Plan text and mapping is available within the Committee papers
- In summary, the following MIR sites are retained:
H2 and MU1
- The following sites are retained with modification:
H1 (contraction) and C1(a) (contraction)
- All remaining MIR sites are not retained
- No new sites are recommended for retention within the Proposed Plan

Issue	DRUMNADROCHIT
MIR reference:	Main Issues Report (MIR) 7.5
List of persons and organisations who submitted comments (including reference number):	
Drumnadrochit Chamber Of Commerce & Tourist Association (00688), Glen Urquhart Greenspace Community Company (00917), Glenurquhart Community Council (00288), Janet Bell (00624), Loch Ness Homes Ltd (01022), Mr Alan Bell (00623), Mr Angus Mackay (00012), Mr John PM Fraser (00245), Ms Caroline Stanton (00943), Scottish Environment Protection Agency (00523), Scottish Natural Heritage (00204), The Scottish Government (00957)	
Summary of comments received:	
<p>GENERAL ISSUES</p> <ul style="list-style-type: none"> • Settlement wide developer requirement for species surveys including reptiles • Need for more shop units (e.g. butchers, bakers) • Preference for development which brings long term economic benefits, e.g. jobs • Request that there must be high quality design for social housing to strengthen the character of the village and another that there must be individuality among housing developments • A footpath/cycle way separate from the road should be identified on south side of A82 at Lewiston • Transport Scotland requests a strategic assessment to address the cumulative impact of development along A82 and that this be agreed with Transport Scotland. • New site suggested at Blairbeg Woodland. Landowner suggests small number of housing and limited tree felling could make appropriate development. <p>MIR SITES</p> <p><u>H1 (Preferred in MIR)</u> Several respondents in support of its retention. No specific objections. Supportive because it would fit with landscape pattern and it's a brownfield site. There are concerns however about further impact from invasive non native species on Urquhart Bay Wood SAC via the River Enrick of development upstream. A request for land to be safeguarded for pedestrian access over the river for school children and other users.</p> <p><u>H2 (Non-Preferred in MIR)</u> One objection to non-preferred status of H2 as they prefer it over MU3, MU4 and MU5 and one respondent in support. No flooding issue but potential erosion issue and adjacent to floodplain.</p> <p><u>H3 (Preferred in MIR)</u> Two respondents in support of site allocation retention. Concerns from SNH about further impact from invasive non native species on Urquhart Bay Wood SAC via the River Enrick of development upstream. SEPA also highlight potential for flood risk and erosion from, and change in the alignment of the River Enrick.</p> <p><u>H4 (Preferred in MIR)</u></p>	

Several respondents support site but also concerns expressed regarding the existing mature semi-natural woodland which would be impacted by development and the need for satisfactory compensatory planting.

H5 (Preferred in MIR)

There was a mixed response to the site. Objections due to surface water flooding issues and because it forms part of green network. Respondents supportive if there is good quality of design to keep-in with settlement pattern and flooding mitigation.

H6 (Non-Preferred in MIR)

Community council support site for small number of houses, set back against embankment, retaining and enhancing pond, and repairing and improving access to Mausoleum. SEPA note no risk of flooding

H7 (Non-Preferred in MIR)

Community council support non-retention of site but Greenspace Community Company would support retention for 2 well designed houses with pedestrian improvements etc.

H8 (Non-Preferred in MIR)

Several respondents support the retention for small number of houses as it is suggested this will complete development in the area. However equal number of objectors due to it eroding the greenspace and not being in character with the rest of the settlement pattern.

MU1 (Non-Preferred in MIR)

Community council supports non-retention and SEPA are concerned about flooding.

MU2, MU3 (both Preferred in MIR) and MU4 (Non-Preferred in MIR)

The comments received largely referred to all three sites. Overall, there was a mixed reaction towards the allocations of MU2 and MU3 (and MU4). The community council is supportive of MU2 and MU3 dependent upon it being a genuine mixed use development which is very carefully phased over many years. The community council also request that there are a series of developer requirements set which include: the highest quality of design which will preserve and enhance the village character, a green frontage onto A82, offsite greenspace and footpath improvements, 25% affordable for local need, flood risk assessment and youth club. They also support craft, retail uses within the developments and request that the speed limit be reduced to 30mph. A recent poll by the community council showed the business community prefer MU3 over MU2. This preference was shared by other respondents. It was also noted that phasing will be very important as to provide local employment and it must be of high quality rural design. Infrastructure should be delivered at an early stage with improved pedestrian linkages. SEPA highlight potential flooding issues and SNH note the exporting of invasive non-native species to Urquhart Bay Wood SAC. Several respondents objected because it would add to existing traffic congestion in the area, be incongruous to settlement pattern, damage vistas from the village. The open space which is proposed alongside the road is also considered too small to protect these vistas. Respondents also stated that it will also affect the sense of arrival and impact on views of the settlement from the surrounding hills. A specific objection to MU3 is the erosion of the land which separates Lewiston and Drumnadrochit which is a defining characteristic of the settlement. A specific objection to MU4 is the damage it would cause to the green finger which runs Drumnadrochit and Lewiston.

MU5 (Non-Preferred in MIR)

The landowner submitted two responses: one proposing a mix of retail, business, community and housing development on the site: and the second proposing part or all of the land for community uses and it would be gifted unconditionally for the provision of a new health centre. The community are generally supportive of this but state the need for associated facilities and a high quality design and landscaping. There are objections to the allocation which are similar to that of MU2, MU3 and MU4 including not in keeping with

the village, erodes land between Lewiston and Drumnadrochit etc.

MU6 (Preferred in MIR)

Community supportive of redevelopment of the site with a new design and layout being much more in keeping with the rest of the village.

MU7 (Preferred in MIR)

Community council supportive of allocation.

B1 (Non-Preferred in MIR)

All respondents were supportive of non preferred status particularly due to loss of woodland.

B2 (Non-Preferred in MIR)

Community council supportive of non-preferred status.

C1 and C2 (Preferred in MIR)

Community council supportive of preferred status of these sites.

ALTERNATIVE SITES AND USES CONSULTATION

Please note that the names and reference numbers for comments submitted on this specific consultation are not listed in this document.

Blairbeg Woodland, Drumnadrochit

The landowner objects to the non-preferred status of the site and highlights that they are now have reduced the number of houses from six to three plots. A tree survey has shown that 68 out of 104 trees could be retained, opportunity for improved access points to existing informal footpaths, minimal vehicular impacts and the visual landscape of the village would remain.

Modifications sought by those submitting representations:

GENERAL ISSUES

- Allocation of three house plots within Blairbeg Woodland, Drumnadrochit
- Settlement-wide developer requirement for species surveys (including reptiles).

MIR SITES

H1, H2, H3, MU2

SEPA request insertion of text to indicate potential flood risk and possible requirement for Flood Risk Assessment to support any planning application.

H4

Non-retention of site or adequate mitigation.

MU1

SEPA require Flood Risk Assessment to be carried out prior to inclusion in the Plan.

MU2

Developer requirement for pedestrian/cycle route connecting site MU2 to the village centre.

MU2 and MU3

Developer requirements for retention of green buffer to the A82 and provision of pedestrian/cycle route around or through site MU3.

Council's summary of responses to comments:

GENERAL ISSUES

Species Surveys

Non species-specific issues are already addressed via the Council's Highland wide Local Development Plan general policies. However, a specific reptiles survey requirement reference would be appropriate.

Additional Business and Retail Space

The Council recognise the need for additional business and retail space. The mixed use allocations which are being retained will allow for this as any development of these sites will require a proportion of retail and other employment uses.

Quality of Design

It is recognised that there is a distinctive settlement pattern in Drumnadrochit and the individuality of the housing stock is an important feature of the village. As a result the Council will seek to maintain this high standard of design for all new housing, particularly adjacent to the A82 tourist route.

Pedestrian Access Issues

The desire amongst the community to enhance the existing pedestrian and cycle provision in the village, with particular focus on accessing Loch Ness, is supported by the Council. Development sites alongside the key routes, including A82, will be required to provide improvements to the foot and cycle paths wherever possible. A separate path will be required for the large mixed use sites along the A82.

A82

The Plan's site specific requirements will seek a rationalisation of trunk road accesses where feasible, and will limit new trunk road accesses to where no feasible local road network alternative exists. MIR reference sites MU5 and MU3 will require a new trunk road access but this access will present an opportunity to deliver a traffic and pedestrian safety improvement.

ALTERNATIVE SITES AND USES CONSULTATION

Please note that the names and reference numbers for comments submitted on this specific consultation are not listed in this document.

New Site - Blairbeg Wood

Despite the number of plots being reduced to three the proposed development will result in the loss of mature broadleaf woodland with its attendant loss of habitat and greenspace. SNH have noted this impact on woodland and other species. Due to this environmental impact and there being sufficient alternative, better quality housing sites, the site at Blairbeg is not recommended for inclusion within the Plan. Similarly, the land to the south (MIR site reference B1) should not be retained for woodland impacts reasons. The importance of the woodland at Blairbeg and the need for its safeguarding from development was endorsed by the Scottish Government appointed Reporter at the last local plan public local inquiry.

MIR SITES

The following consideration of sites sets out some of specific developer requirements however this is not a complete list of the developer requirements, a full list is presented in the Proposed Plan and associated documents.

H1

The site is previously developed and there is general support from respondents for its allocation. SEPA's request for developer assessment of any flooding and erosion issues merit a Plan reference. Similarly, SNH's concerns about the impact on the Urquhart Bay Woods SAC and the export of invasive species requires a multiple site Plan reference. The request for a connection to be safeguarded for a renewed river crossing is desirable particularly as a safer route to school and will be added.

H2

This land benefits from an adopted local plan allocation but has not proved effective because of its access constraints and the costs and technical challenges in resolving them. It is also more distant from the heart of the village than alternatives (particularly MIR sites MU2 and MU3). These alternatives should be included in preference to land at Pitkerrald. The MIR settlement development area boundary should be retained.

H3

The site has merit for some (particularly affordable housing) development subject to flood risk, erosion and invasive species export issues. However, a positive allocation is not appropriate given the severe access constraints affecting the Pitkerrald area and the doubts about feasibility these raise. Accordingly, the site should not be retained but it should be left within an unchanged settlement development area boundary.

H4

The site contains broadleaf mature woodland which will constrain its capacity to nothing more than infill development. Better alternative sites exist for larger scale development. Accordingly, the site should not benefit from a positive allocation for housing development but should be retained within the settlement development area boundary to allow the option of infill housing subject to the site-specifics of the proposal particularly whether woodland impact can be minimised and/or compensated for, and suitable road access formed.

H5

Although SEPA have not highlighted it, the site suffers from pluvial flood risk ponding and a high groundwater table. These constraints plus the lack of local support for its allocation, and the availability of better alternatives, are sufficient to merit its non retention.

H6

The northern part of the site (section overlapping H5) has similar drainage issues as site H5 and should not be retained. However, the balance of the allocation has no drainage constraints, is close to the village centre and is of poor agricultural value. It should be retained but with requirements to address the concerns of respondents. This should include a setback from the embankment which runs alongside the road to the school and improved pedestrian access to the mausoleum.

H7

There is a degree of support for a housing allocation on the site which is noted. However, it is exclusively mature semi-natural woodland, which has habitat and public amenity value. Any development on the site would result in significant impacts on this woodland. Furthermore, there are other sites which are alternative, more suitable sites for housing allocations within the village. As a result, the site should not be retained within the Proposed Plan.

H8

It is recognised that there is a mixed response to the suggested housing allocation at H8. The landowner indicates that up to 3 houses would be built and set back to reduce visual impact from Balmaccan Road. However, the site forms part of an area designated as being a green corridor which extends from Lower Balmaccan through Lewiston to Kilmore. Development of the site would result in a permanent breach of this greenspace and could

change the open character of this part of the village. On the other hand it is recognised that the site benefits from being relatively free of physical constraints and with specific developer requirements it may be suitable for a very small number of houses. Accordingly, it is recommended that the site be retained within the Plan subject to a maximum of two houses and conditional upon the developer's siting and layout retaining the visual impression of a continuous green corridor through the development site to maintain the character of this part of the wider village.

MU1

The site has a known fluvial flood risk but this risk is to be mitigated by a programmed Council flood defence scheme. The site benefits from being adjacent to the current commercial centre of the village and is free of other constraints other than a constrained trunk road access. Accordingly, the site is recommended to be retained within the Plan but will be wholly dependent on the completion of the flood defence scheme and flood risk assessment being carried out. A developer requirement will also be outlined to ensure that the design and layout will be of the highest quality, appropriate to its tourist route location and suitable trunk road junction improvement.

MU2

It is noted that there was a mixed response to the site. The landowner has now lodged a pre-application proposal for the development of MU2. Several respondents indicated the need for additional space for existing business to grow and new businesses to locate to and a mixed use allocation would provide for this. The site also benefits from being in a central location and relatively free of constraints. As a result, the site will be retained within the plan. However, it is recognised that the site holds a sensitive position within the village. As a result a series of developer requirements will be set out within the Plan which will include specific phasing. This is recommended to be set at a maximum of 10 housing unit completions per year for the development site as a whole. A developer requirement will also be outlined to ensure that the design and layout will be of the highest quality and complement the existing character of the village. Adequate setback from the A82 with improved active travel linkages together with quality landscaping and greenspace will be required of any developer to minimise the impact and improve facilities wherever possible. Appropriate green buffers must also be safeguarded to maintain the distinctive identity of the separate villages which make up Drumnadrochit. A degree of affordable housing will be required and the potential for securing this for local people will continue to be examined further. A developer-led masterplan must be prepared to address the issues noted above.

MU3/MU4

A developer has lodged a pre-application proposal for the development of MU3. The mixed response to the site has been noted. Several respondents indicated the need for additional space for existing business to grow and new businesses to locate to and as a mixed use allocation this would provide for this. The site also benefits from being in a central location and relatively free of constraints. As a result, the site will be retained within the plan. However, it is recognised that the site holds a sensitive position within the village. As a result a series of developer requirements will be set out within the Plan which will include specific phasing. This is recommended to be set at a maximum of 10 housing unit completions per year for the development site as a whole. A developer requirement will also be outlined to ensure that the design and layout will be of the highest quality and complement the existing character of the village. Adequate setback from the A82 with improved active travel linkages together with quality landscaping and greenspace will be required of any developer to minimise the impact and improve facilities wherever possible. Appropriate green buffers must also be safeguarded to maintain the distinctive identity of the separate villages which make up Drumnadrochit. A degree of affordable housing will

be required and the potential for securing this for local people will continue to be examined further. Additional improvements would include the reduction of traffic speeds on the A82 from 40mph to 30mph and the junction off the A82 will need to be designed in coordination with the development of the health centre on MU5. A developer-led masterplan must be prepared to address the issues noted above.

MU5

The allocation of the site for community use is specifically for a new, expanded health centre, which is supported by the community. The landowner's unconditional offer to gift part or all of the land for the creation of a new health centre is noted. The site is central and relatively constraint free but is important to the open character of the settlements that comprise wider Drumnadrochit. Accordingly, part of the site is recommended for retention as a community uses only site, sufficient to accommodate the health centre and a pharmacy. The allocation will require that access be designed in a way which coordinates with the development at MU3. In addition appropriate setback from the road will be required with high quality design and appropriate landscaping incorporated within the any proposals.

MU6

The existing building at MU6 has no architectural merit and the site would benefit from redevelopment. The land should continue to be allocated for mixed use development to encourage this change. Uses similar to those existing would be acceptable and requirements should stipulate the need for high quality architectural design and rationalisation of current access and parking arrangements.

MU7

The relocation of the health centre would create a surplus building and site at MU7. The site benefits from being relatively flat, in a central location and has commercial visibility from the A82. Accordingly the site should be retained but developer requirements added to ensure improved design and layout and woodland safeguards.

B1

The site is exclusively semi-natural mature woodland which has a habitat and public amenity value. Any development of this site would have a significant impact on this woodland. Accordingly, the site should not be retained within the plan.

B2

Although the site is relatively free of constraints it would erode the greenspace between Lower Balmaccan to Kilmore. Retained mixed use sites MU2 and MU3 will provide alternative space for business uses. Accordingly the site should not be retained.

C1 & C2

Community Council support for these sites is noted and the land will remain allocated for the expansion of the existing community facilities in this area including the option of a new health centre.

Recommended Proposed Plan Content:

- The Proposed Plan text and mapping is available within the Committee papers
- In summary, the following MIR sites are retained:
H1, H6, H8, MU1, MU2, MU3, MU5, MU6, MU7, C1, C2
- All remaining MIR sites are not retained
- No new sites are recommended for retention within the Proposed Plan

Issue	FORT AUGUSTUS	
MIR reference:	Main Issues Report (MIR) 7.7	
List of persons and organisations who submitted comments (including reference number):		
D Turnbull (01124), Fort Augustus & Glenmoriston Community Council (00285), Ms Laura Bridges (01154), Reynolds Architecture Ltd (00165), Scottish Canals (00655), Scottish Environment Protection Agency (00523), Scottish Natural Heritage (00204), The Scottish Government (00957)		
Summary of comments received:		
<p>GENERAL ISSUES</p> <ul style="list-style-type: none"> • Settlement wide developer requirement for species surveys including reptiles. • Community council highlight general issues including the need for more employment opportunities, phasing of housing development according to utility capacity, the need for community facilities and the need to support tourism and business growth. • Transport Scotland requests a strategic assessment to address the cumulative impact of development along the A82 and that this be agreed with Transport Scotland. <p>MIR SITES</p> <p><u>H1</u> The responses are generally supportive of the site's allocation and landowner confirms desire of developing the site due to part planning permission and approved development brief. One request to reduce size of H1 to area between Gondelier Building and the canal as this would benefit from being close to centre, retaining greenspace and still provide approx. 30 house plots. However, others comment the site has never been delivered despite a great deal of resources going into it including ground condition surveys etc. Comment that access constraints, marketability and ownership issues remain.</p> <p><u>H3</u> Community council object to the site and request it to be retained as amenity space because of the historic value of the adjoining Covent Wood which is well used by the community and there are protected species in the area. SEPA note potential flooding issues and request a flood risk assessment is carried out in support of a planning application.</p> <p><u>MU1</u> Community council note the need to protect the cricket pitch from development. Historic Scotland support continued development of the site. SEPA request developer requirement to address flooding and water issues and SNH request bat survey/protection plan and tree retention.</p>		

MU2

Community council support allocation as it is ideal for extending the car park which will enable growth of the community. SNH are concerned about the loss of semi natural woodland and SEPA request a flood risk assessment be carried out in support of any planning application.

B1

Expressed consensus supports allocation. Community council welcome Scottish Canals proposal for a visitor centre and around 8 business units and believes this will help community grow. Scottish Canals comments it is also considering camping provision and additional moorings.

C1 and C2

The community council support the allocations but Scottish Canals request to be consulted due to the potential impact on the scheduled monument and canal side and opportunity for sustainable drainage. One respondent supports community uses but if not community then it should be housing as this may be the most deliverable.

I1

Community Council suggests that this allocation may be in the wrong location.

Modifications sought by those submitting representations:

GENERAL ISSUES

- Settlement-wide developer requirement for species surveys including reptiles, red squirrels and bats.

MIR SITES

H3, MU1, MU2 and B1

SEPA request insertion of text to indicate potential flood risk and requirement for Flood Risk Assessment to support any planning application.

MU1

Developer requirements for bat survey and protection plan and tree retention.

Council's summary of responses to comments:

GENERAL ISSUES

Species Surveys

Non species-specific issues are already addressed via the Council's Highland wide Local Development Plan general policies. However, specific reptiles, red squirrel and bat survey requirement reference would be appropriate.

Community Council Issues and Aspirations

The Council recognise the need for providing additional business, retail and tourism space for the local economy to grow. The mix of site allocations which are being retained will help to achieve these aspirations.

A82

The Plan changes will remove the most problematic site in terms of trunk road access at the Old Convent. Similarly, site I1 will not be retained, MU1 is largely complete and MU2 would utilise an existing access. Taken together, the revised allocations do not justify an

A82 cumulative impact assessment.

MIR SITES

H1

It is recognised that there are several constraints which limit the effectiveness of the site. Marketability, levels, ownership and trunk road access factors all inhibit a feasible scheme.

However, there are no better alternatives within the village. Other options are worse in terms of distance from village centre, flood risk, land assembly and/or heritage constraints. Accordingly, the site should be retained at least for the 5 year plan review period to see whether it becomes more feasible in terms of a property market revival or an increase in the availability of public funding for affordable housing.

H2

The site benefits from planning permission for 18 houses. Despite the development not going ahead as of yet, the permission has recently been renewed. As a result the site should be retained.

H3

The site suffers from significant A82 trunk road access constraints and is relatively distant from the village centre. There are also problems with fluvial flooding that affect the edge of the site. Other retained sites provide an adequate future land supply for the village. Due to these constraints and the desire by the community council to see it protected, the site should not be retained within the Plan. However, the site should remain within the Settlement Development Area which will still allow for more limited infill development proposals to be considered subject to flooding, trunk road access and other issues.

MU1

The former Abbey has undergone significant restoration and conversion since 2003. However the economic downturn has impacted on this and the owner has diversified from mainstream to holiday residential accommodation. The success of the Abbey is important to the village as a whole and therefore the allocation should be retained although the capacity for further development is limited by heritage, flooding and marketability constraints. The greenspace at the cricket pitch should be included within the allocation but a developer requirement will be set to safeguard it from any development. Developer requirements will also be set out to include bat and tree surveys to be completed as part of any application. Any development will be required to respect the fabric and setting of the Category A Listed Abbey.

MU2

This part brownfield site has been allocated for the reconfiguration and expansion of the principal village car park and the development of additional tourism related facilities around the Information Centre. This existing car park is at or over capacity during the summer months. Although there are some mature trees present these could be retained within the design of any development and much of the other vegetation is scrubland and gorse bushes. There may be potential flood risk and as such a Flood Risk Assessment will be set as a developer requirement. Accordingly, the site should be retained within the Plan dependent on access being taken through the existing car park and compensatory extension of the car park.

B1

Consensus support for Scottish Canals' proposals for development at Canal Side is noted. There may be risks of flooding in the area and as a result a Flood Risk Assessment will need to be carried out. Nevertheless, the site should be retained within the Plan for

tourism retail / interpretation / accommodation units associated with canal corridor. Any development must also mitigate for any adverse impact upon setting of Caledonian Canal Scheduled Monument, should consider working with Scottish Canals to arrange sustainable drainage opportunities and produce a high quality of architectural design commensurate with this tourist route location.

C1

This allocation reflects the aspirations of the golf club to expand from a 9-hole to an 18-hole course. There is general support for the site's allocation however the developer will be required to carefully consider the impact upon the canal (which is a Scheduled Monument) and will be encouraged to work together with Scottish Canals to arrange sustainable drainage opportunities. The site should be retained.

C2

The site is safeguarded for the expansion of the Academy or the development of a related community building(s). Despite a request for consideration for it to be allocated for housing, there is little housing demand in the village, better retained alternative sites and road access would have to be through the Academy campus. The developer will be required to carefully consider the impact upon the canal (which is a Scheduled Monument) and will be encouraged to work together with Scottish Canals to arrange sustainable drainage opportunities. The site should be retained.

I1

This site has been granted planning permission for housing and is fully built out. Therefore it will be removed from the Plan.

Recommended Proposed Plan Content:

- The Proposed Plan text and mapping is available within the Committee papers
- In summary, the following MIR sites are retained:
H1, H2, MU1, MU2, C1, C2, B1
- All remaining MIR sites are not retained
- No new sites are recommended for retention within the Proposed Plan

Issue	INCHMORE
MIR reference:	MIR 7.6
List of persons and organisations who submitted comments (including reference number):	
Kirkhill & Bunchrew Community Council (00302), Mr & Mrs Mike MacMillan (00686), Mr And Mrs R Ross (01050), Mr And Mrs Young (01066), Mr Paul Whitefoot (00973), Reynolds Architecture Ltd (00165), Scottish Environment Protection Agency (00523)	
Summary of comments received:	
GENERAL ISSUES RAISED	
<i>Open Space Allocation</i>	
Allocation of amenity ground (the old school playing field) to the north of the old school as public open space to preserve some playing space.	
<i>Settlement Development Area</i>	
South east settlement boundary should not cut into agricultural ground.	
SITES	
<u>B1 – Preferred in MIR</u>	
Community Council support allocation.	
<u>H1 – Non-preferred in MIR</u>	
Community Council support non-allocation of this site	
Objection to the non-preferred status of the site as the site would form a natural extension to the village; its proximity to village amenities; adjacent to safe route to Kirkhill Primary School; poor agricultural land; services readily available; development on both sides of the B9164 would give a more built up appearance at the junction and this would have a traffic calming influence.	
Flood risk assessment required to support any future planning application.	
<u>H2 – Preferred in MIR</u>	
Community Council agree with recommendation for development of housing on the lower slope.	
Request for Expansion of H2 to the west to allow access to be taken from Newtonhill public road.	

Support for allocation as it would create a balanced village; keeps development close to the centre and helps to create a centre.

H3 – Preferred in MIR

Support for reduction of site to reflect that in the existing Inverness Local Plan for the following reasons:

- Would present a more balanced arrangement in the village
- Would resolve the eyesore of the old garage without allocation additional land
- Constitutes ribbon development
- Close to a dangerous bend on the road
- Would result in less attractive approach to the village
- Could set a precedent for the currently non-preferred option for H4 creating an even more unbalanced feel to the village
- Would restrict the number of units that can be built on the site

SEPA and the Council's flood team object to the inclusion of the site unless a satisfactory flood risk assessment is undertaken before the site is allocated.

H4 – Non-preferred in MIR

Objection to H4 not being preferred for housing development.

Community Council supports the non-preferred status of the site as it is good quality land and sits too far outwith the settlement.

SEPA will not object if text in the proposed plan requires a flood risk assessment and all development avoids the functional flood plain.

H5 – Preferred in MIR

Community Council notes planning permission has already been granted on this site.

Support for allocation of site for the following reasons: would create a balanced village; keeps development close to the centre and helps create a centre.

SEPA will not object if text in the proposed plan requires a flood risk assessment and all development avoids the functional flood plain.

Council's summary of responses to comments:

GENERAL ISSUES RAISED

Open Space Allocation

The former school playing field is overgrown and appears to have lain unused for some time. Whilst it is understood the former playing field remains in Council ownership it is not clear if it is actively used or maintained. Nevertheless given the lack of provision of open space elsewhere in Inchmore and the relative ease of the former playing fields being put back into active use it is considered there is merit in allocating the site as open space. The site is therefore recommended to be allocated as open space in the plan.

Settlement Development Area

The south eastern part of the Inchmore settlement boundary in the MIR does not reflect any natural or manmade feature nor was it intended to allow for development potential in this area. This was a cartographical error; the settlement boundary shown in the Proposed Plan map will reflect the built up boundary of the settlement.

SITES

B1 – Preferred in MIR

Planning permission was granted in 2008 (ref: 07/00804/FULIN) for the erection of a house and garage on the eastern half of the site shown as B1 in the MIR. The application was contrary to the Inverness Local Plan as the site was allocated for business use; however as there was no demand evident for business use and planning permission for a shop was granted elsewhere in the village the application was approved. Whilst planning permission for the house was not implemented, given the principle of a house has been established at this location it is no longer appropriate to allocate the eastern section of the site for business use; rather it will be allocated for housing as an extension of site H5 in the MIR.

Following the granting of planning permission in 2012 (ref:12/03523/FUL) for the change of use of the former Inchmore Hall to workshop including an ancillary showroom for retailing purposes, the building is actively being used for business purposes. To ensure this use remains and that any subsequent reuse of the site is for business purposes the business allocation shall remain at this location.

H1 – Non-preferred in MIR

H1 continues to be a non-preferred site, largely on the basis that it is not required to satisfy the housing land requirement in the area, as well as that its development would result in the incursion into the corner of a larger field; it is visually prominent; would result in the loss of good agricultural land and there is potential for the loss of attractive mature trees.

In responding to the objector comments regarding the non-allocation of this site, the following comments are made: given the existence of the B9164 between the site and settlement it is not considered a logical expansion area, furthermore preference is for the consolidation rather than expansion of the settlement. In terms of farm land, the entire site

is prime agricultural land. Scottish Planning Policy presumes against the loss of prime agricultural land unless it is an essential part of the settlement strategy. Whilst it is accepted that the site is close to the village's limited amenities; adjacent to the safe route to Kirkhill Primary School; that services are readily available and that development on both sides of the B9164 may give a more built up appearance at the junction and that this may have a traffic calming influence these factors do not outweigh the aforementioned reasons why the site is not supported in the plan.

The requirement for a flood risk assessment to support any future planning application is noted. This will be a developer requirement should this site be included in the plan as a result of any examination.

H2 – Preferred in MIR

Site H2 is a linear, sloping site in central Inchmore currently in agricultural use. The topography of the site, whereby it slopes gently on the northern side then more steeply on its southern side, is likely to influence the layout and capacity of the site. If housing is proposed on the higher parts of the site it may be more difficult to develop from an engineering point of view as well as have a greater visual impact. Whilst it would be preferable for housing to only be developed on the lower parts of the slope the design and layout of the site is a detailed matter that can be considered in detail during pre-application and application procedures.

An indicative layout plan submitted for the site during the 'Call for Sites' exercise shows the access to the site being taken directly from the A862 through site H5. Site H5 was granted planning permission a number of years ago with access being taken from an upgraded gated access to the H5. There is therefore no requirement to expand the area of H2 to the west to allow access to be taken from Newtonhill public road.

Comments regarding the potential of the site to create a balanced village, keep development close to the centre and help to create a centre are agreed with and duly noted.

In giving further consideration to the expansion of Inchmore, it is also considered that it would be appropriate for this site to be a mixed use allocation in the plan to allow for the provision of small scale retail and/or business use in addition to housing. This is because Inchmore currently has very limited facilities, therefore for its expansion to be more sustainable the provision of small scale retail and/or business use is recommended.

H3 – Preferred in MIR

The Inverness Local Plan allocated an area of 0.3 hectares east of the former primary school for 3 houses with a requirement for redevelopment (Inchmore, site reference 1). The northern part of the site is currently occupied by a vacant house and garage which blight the entrance to the village and are in need of regeneration. The preferred H3 site in the MIR was promoted by the landowner; it is approximately twice the size of the existing allocation. This larger site was supported in the MIR as the site was partially brownfield and provided an opportunity to improve to appearance of the village gateway. A planning application is currently being pending determination on the site (ref: 13/00118/FUL) for 7 units.

There is major flood risk issues associated with the site; at 50% of it is identified as being at risk of flooding on the SEPA Indicative Coastal and River Flood Map. As a result, and without any satisfactory flood risk information being provided by the landowner, both SEPA and the Council's Flood Team have objected to the allocation of the site in the plan. The site therefore cannot be recommended for inclusion in the plan and has been removed. The extent of the allocation in the Inverness Local Plan remains within the settlement development area. This means there is a presumption in favour of development within this area subject to detailed considerations, including flood risk.

The representations supporting a reduction of the site are noted. The removal of the allocation and reduction of the settlement development area to reflect the Inverness Local Plan boundary address the requests of these representations.

H4 – Non-preferred in MIR

There was an objection to H4 not being preferred for housing development; however no reasons were given. Nevertheless the site continues to not be supported in the Proposed Plan on the basis that it would result in the loss of good agricultural land; would result in the incursion into a larger agricultural area and its relative distance from the village centre.

It is noted that the Community Council support the non-preferred status of the site as it is good quality land and sits too far outwith the settlement.

The requirement for a flood risk assessment to support any future planning application is noted. This will be a developer requirement should this site be included in the plan as a result of any examination.

H5 – Preferred in MIR

Planning permission was granted for the erection of two dwellings on the land within the southern portion of H5 in 2006. These two units have since been built and therefore the allocation in the Proposed Plan will be contracted to exclude this part of the site.

Planning permission was granted (ref: 06/00093/FULIN) in 2007 for the erection of 7 houses on the northern section of the site shown as H5 in the MIR. Planning permission (ref: 07/00804/FULIN) for a further single unit was permitted in 2008 on the eastern section of the site shown as B1 in the MIR. The development of this site is not yet underway. The allocation has been amended to reflect the boundaries of these two planning permissions.

The Community Council's support for this allocation on the basis of creating a balanced village, keeping development close to the centre and help to create a centre is noted.

Part of the site lies within an area identified as being at risk from flooding on the SEPA Coastal and River Flood Map. It is therefore agreed that the Proposed Plan will include a developer requirement for a flood risk assessment to support any future planning application.

Recommended Proposed Plan Content:

- The Proposed Plan text and mapping is available within the Committee papers
- In summary, the following MIR sites are retained but the size and/or use of the site has been modified:

H2, H5 and B1

- Remaining MIR sites are not retained / recommended for inclusion
- No new sites are recommended for retention within the Proposed Plan

Issue	KILTARLITY
MIR reference:	MIR 7.8
List of persons and organisations who submitted comments (including reference number):	
Alan Roxburgh (00501), Kiltarlity Community Council (00299), Mr And Mrs G Fraser (01316), Mr Hamish D Maclennan (01080), Mr Iain Stewart (00109), Reynolds Architecture Ltd (00165), Scottish Environment Protection Agency (00523), Scottish Natural Heritage (00204), William Gray Construction Ltd (01071)	
Summary of comments received:	
GENERAL ISSUES RAISED	
<i>Species</i>	
Settlement-wide developer requirement for species surveys	
<i>Path Network</i>	
Provide new path network linking shinty pitch, children's play area and Balgate Drive.	
<i>Scale and Phasing of Development</i>	
Questions if Kiltarlity is to become a dormitory for Inverness and still a small village. Concerns regarding the pace of expansion of Kiltarlity.	
SITES	
<u>B1 – Preferred/H3 – Non-preferred in MIR</u>	
Objection to the site being allocated for business use. Considers it should be allocated for housing for the following reasons: access is poor and would suit low density housing more than commercial traffic; adjacent land is zoned for housing and would therefore restrict the opportunity to further expansion of the business area; it is a brownfield site which is better suited to siting a few houses rather than a possible large industrial unit; housing would accommodate the existing trees better than business use; if business land is needed it would be better sited on the outer edge of the village to reduce impact from commercial traffic.	
<u>H1 – Non-preferred in MIR</u>	
Support for housing subject to boundary trees being protected and enhanced.	
<u>H2 – Preferred in MIR</u>	
Support for H2 as a housing allocation. Note site already has permission for residential development. Considers implementation of planning permission will not result in the loss	

of any woodland and proposals incorporate significant tree planting.

H4 – Non-preferred in MIR

Some objection to the Council's non-preference for this site. A plan has been submitted illustrating that access to the site could be taken from an existing access to a private houses and a disused depot of Allarburn Road.

SEPA require developer requirements text to state that development of site would have to be supported by flood risk assessment if development is close to the watercourse and all development will avoid the functional flood plain.

H5 – Preferred in MIR

Support for allocation of site but would like it allocated specifically for sheltered housing.

SEPA require developer requirements text to state that development of the site would have to be supported by a flood risk assessment if development is close to the watercourse and that all development will avoid the functional floodplain.

H7 – Preferred in MIR

Some support for allocation of site.

Objection to allocation of site for the following reasons:

- If more housing development is required in addition to other preferred and consented sites H8 would better accommodate it because:
 - H7 would have an adverse effect of the B Listed Old Manse close to the site
 - Would have an adverse effect on the sightline between the Old Manse and the Church at Tomnacross to which it once belonged
 - Detrimental to the appearance of the village and outlook of neighbouring houses
 - Further burden on the narrow lane leading to Tomnacross, additional to traffic from H6

H8 – Non-preferred in MIR

Supports the non-allocation of this site as it would allow open views to the Church and school to remain.

Objection to the non-allocation of this site for the following reasons:

- Flat, developable land
- Good access to the village spine road
- Close to village facilities including primary school and public transport
- Limited landscape impact
- South facing and exiting trees provide some shelter
- Archaeological interest is not a significant obstacle to development
- Reduced site area means the site no longer includes an area of archaeological interest
- Not prime farmland

- No contamination issues
- No flood risk issues
- Site design would be of high quality
- Incursion into open fields could be acceptable if development is limited to part of the site

In a representation the landowner explains they now wish to reduce the allocation to 3 hectares to reflect an existing field boundary and proposes a mixed use allocation rather than solely housing.

MU1 – Preferred in MIR

Requirement for a bus layby on site MU01.

OTHER ALTERNATIVE SITES AND USES

The following sites were suggested in representations but were not consulted upon as part of the formal alternative sites and uses consultation. This was due to scale/type of uses of proposed and/or the potential effectiveness of site.

Requests allocation of area east of C1 for housing; extension to Church Yard and an area for small scale workshops.

Council's summary of responses to comments:

GENERAL ISSUES RAISED

Species

As this request is non-species specific is not considered necessary to include it in the settlement text for Kiltarlity. HwLDP Policy 58: Protected Species specifies circumstances where species surveys will be required.

Path Network

In terms of a new path network linking the shinty pitch, children's play area and Balgate Drive as these are outwith development areas and would be secure any essential path links developer contributions would be difficult to secure. It is therefore not considered appropriate for the development plan to include this requirement.

Scale and Phasing of Development

Kiltarlity is a small village that lies approximately 12 miles west of Inverness. Given its size and proximity to the city it is expected that a number of residents would commute for employment purposes to Inverness. Nevertheless Kiltarlity does have a number of services including a convenience shop and post office, village hall and primary school. It is therefore considered that Kiltarlity can continue to be a small village with its own facilities and services whilst allowing for some housing expansion without it becoming a dormitory for Inverness.

In terms of the rate of growth, phasing will be controlled by individual planning permissions to ensure sufficient infrastructure is available to support growth.

SITES

B1 – Preferred/H3 – Non-preferred in MIR

The site shown as B1/H3 in the MIR was preferred for business use. The site is a former mill and the only site allocated for business use in the village. The site is accessed via a narrow access road from Allarburn Drive. It is a brownfield site comprising some trees and rough ground. It lies adjacent to site H2 where planning permission was granted for approximately 80 houses, the development of which is currently underway.

It is accepted that the access to the site is narrow. However Council Road's Officers have confirmed that provided a junction between Allarburn Drive and the site access road could be created to adoptable standards the access would be suitable for light commercial vehicles consistent with a business allocation for Class 4 Uses which includes offices, research and development of products or light industry.

It is appreciated that the land adjacent is allocated for housing and that this is likely to limit the potential for expansion of the business area. However it is considered that the site is sufficient to accommodate any future arising business land requirements in the settlement for the period of the plan; should a requirement for further business land be identified in a review of the plan, potential sites elsewhere in the village will be investigated.

The allocation allows for the principle of development of large industrial unit on the site, however this would be restricted to light industrial use compatible with housing which will be adjacent to the site in the future. In terms of visual impact, due to intervening woodland, it is considered that a light industrial unit or housing would have a similar visual impact.

In terms of any impacts upon trees there is no evidence to suggest that houses at this location would better accommodate existing trees. Without detailed plans for business development or housing proposals on the site it is difficult to predict any impact on the trees. However any future development would require to be consistent with HwLDP Policy 51: Trees and Development which promotes significant protection to existing trees and woodlands on and around development sites.

In terms of traffic impacts, given the small size of the site and allocation for Class 4 Uses, it is not considered that traffic will be a significant issue, or that the business location would be more appropriate on the edge of the village.

In terms of sustainability the site does lie within a central part of the village and is within walking distance of its facilities. However it is the only business allocation in the village, and therefore it is considered more sustainable to have a business allocation to allow for employment creation and the opportunity for residents to work within the village rather than commuting further afield.

H1 – Non-preferred in MIR

Site H1 continues to not be supported by the Council for development in the plan. Development of the site would result in the incursion into a large open field and loss of prime quality agricultural land. Furthermore it is a large site of an excessive scale that is

not required to meet the housing land requirement in the Inverness Housing Market Area. There is also potential for the development of the site to have an adverse effect on the nearby Beaufort Castle Designed Landscape. Given the presence of two relatively large sites in the settlement with planning permission, on both of which construction has begun, and the availability of more suitable sites for expansion/consolidation in other parts of the settlement and wider Inverness Housing Market Area the site cannot be supported.

Should the outcome of any examination result in the allocation of the site it is likely that retention and enhancement of the mature tree belt would be a developer requirement.

H2 – Preferred in MIR

There was support for the allocation of H2 for housing by the developer of the site. This support and specific comments are noted. This site will continue to be allocated Proposed Plan to reflect the partially implemented permission on the site.

H4 – Non-preferred in MIR

Site H4 lies to the rear of several modern bungalows on Allarburn Drive. There is a short steep slope on the northern side of the site after which it appears to level off.

A plan has been submitted illustrating that access to the site could be taken from an existing access to a private houses and a disused depot of Allarburn Road. Whilst it may be possible for an access to formed that meets the requirements of Council's Road Standards this site there are other reasons this site was non-preferred in the MIR and will not be allocated in the Proposed Plan. In particular the sites elevated position in the landscape may mean development of it would give rise to a significant adverse visual impact; furthermore the site is not required to contribute towards the housing land requirement in the Inverness Housing Market Area.

SEPA's request for developer requirements text in the plan to state that development of site would have to be supported by flood risk assessment if development is proposed close to the watercourse is noted. It is likely this text will be included should the site be allocated as a result of any examination.

H5 – Preferred in MIR

Site H5 comprises a disused depot within a residential area of Kiltarlity. Planning permission (ref: 04/00872/FULIN) was granted in 2004 for the erection of 4 houses on the site. This permission was not implemented and has since lapsed. Given this plan is intended to focus on key area of change and not small development sites and that planning permission has now lapsed it is no longer considered appropriate to allocate the site for housing. Rather, should an application for housing or any other use come forward consistent with HwLDP Policy 34: Settlement Development Area which presumes in favour of development subject to detailed considerations.

SEPA requirements for a flood risk assessment are noted, this may be required to accompany any future planning application. Advice to ascertain whether a flood risk assessment is required should be sought using the Council's pre-application advice service.

H7 – Preferred in MIR

Site H7 lies to south of MU1 and H6 in the MIR. Whilst it was not allocated for development in the Inverness Local Plan it was safeguarded for the long term expansion of Kiltarlity including possible community, business and residential uses. Planning permission was granted in 2009 on sites to the north for 24 houses, open space and community use. The development of this site is currently underway. When reviewing the plan, given the progress of the adjacent sites and in relation to meeting the Inverness Housing Land requirement it was considered to be an appropriate time to allocate the safeguarded expansion site.

The B Listed Old Manse lies close to the western boundary of H6 and to the north of H7. The Old Manse is a large house with extensive grounds comprising many mature trees. These trees effectively serve to screen any views of the Old Manse from site H7 and therefore the development of this site would have a very limited impact on the setting of the listed building.

Site H7 is considered to form a logical expansion area to village which will have a limited impact on the appearance of the village. In terms of any detrimental impact on the outlook of neighbouring houses views from individual houses this is not a material planning consideration. In terms of any impact upon privacy, daylight and sunlight, this is a detailed matter that will be considered during the development management process.

Any transport statement or transport assessment required to support a planning application for the site will be required to assess the impact on the road between Allarburn Drive and Tomnacross. Any improvements required to support development will be conditioned on any future planning application.

H8 – Non-preferred in MIR

Site H8 lies to the east of the road leading to Tomnacross, opposite sites MU1, H6 and H7 which are proposed to be allocated for development.

Open views over the site of the Church and the primary school are pleasant long distance views that provide an attractive entrance to the village.

It is noted that the landowner now wishes to reduce the allocation to 3 hectares to reflect an existing field boundary and proposes a mixed use allocation rather than solely housing. This response to the issues raised takes into account this revised proposal.

It is accepted that site is relatively free from constraints and close to the village's amenities. It is also noted that the reduced site boundary now excludes an area of archaeological interest. However concerns remain about the incursion into a large open fields and the precedent this may set for further development. Whilst the representation does propose the planting of a significant landscape buffer to form a boundary to the settlement, such boundaries can appear contrived and would take a significant length of time to mature. Furthermore two significant allocations have been made for housing in the village at H2 and H7; no further land is required to be allocated to meet the housing land requirement in the Inverness Housing Market Area.

MU1 – Preferred in MIR

A respondent requested a bus layby was included as a developer requirement for site MU1. As planning permission has already been granted for this site this is not possible.

Please note as planning permission for development of sites MU1 and H6 (ref: 09/00007/FULIN) were encompassed in one planning application these sites have been amalgamated in the plan.

C1 – Preferred in MIR

Despite no representations being received for this site, it is considered it would be more appropriate for the site to be allocated as open space. Whilst this would mean a presumption against development in line with HwLDP Policy 76: Playing Fields and Sports Pitches, this policy does allow for, inter alia, development that is ancillary to the principal use of the site as a playing field. Therefore any proposed upgrade of a club house and/or changing rooms is likely to be supported.

OTHER ALTERNATIVE SITES AND USES

The following sites were suggested in representations but were not consulted upon as part of the formal alternative sites and uses consultation. This was due to scale/type of uses of proposed and/or the potential effectiveness of site.

Allocation of Housing East of C1

A suggestion was made for the allocation of housing east of C1; no reasons were given to support this suggestion. Given the distance from the village centre and the availability of sites closer to the village centre and that there is no need to allocate additional sites to meet the housing land requirement in the Inverness Housing Market Area it is not considered appropriate for this land to be allocated for housing.

Allocation of land for extension to Church Yard

Kiltarlity Church lies to the south of the village of Kiltarlity and therefore outwith the Kiltarlity Settlement Development Area. Therefore should there be any requirement for an expansion of the Church Yard any planning application would be considered as a development in the countryside proposal. The policies of the HwLDP are supportive, inter alia, of development in the countryside where there is an operational requirement for certain development at certain locations. This would clearly be the case for the expansion of a Church Yard. There is therefore no need to make a specific allocation for the development of this ground.

Allocation of Area for Small Scale Workshops

Site B1 is allocated for light business use and therefore small scale workshop could be accommodated on this site.

Recommended Proposed Plan Content:

- The Proposed Plan text and mapping is available within the Committee papers
- In summary, the following MIR sites are retained:

H2, B1, MU1, H6, H7 (MU1 and H6 have been amalgamated)

- Remaining MIR sites are not retained / recommended for inclusion
- No new sites are recommended for retention within the Proposed Plan

Issue	KIRKHILL
MIR reference:	MIR 7.9
List of persons and organisations who submitted comments (including reference number):	
3A Partnership Ltd (01034), Alistair And Hayley Muir (00665), Colin MacMillan And Sons (01307), Kirkhill & Bunchrew Community Council (00302), Lovat Estates (01253), Mr And Mrs Hamilton (01269), Mr Archie Prentice (01212), Mr Erik Lundberg (01189), Mr Ian Weir (00612), Mr Paul Whitefoot (00973), Mr Robin Gardner (01214), Reynolds Architecture Ltd (00165), Scottish Natural Heritage (00204)	
Summary of comments received:	
GENERAL ISSUES RAISED	
<i>Species</i>	
Settlement-wide developer requirement for species surveys including reptiles.	
SETTLEMENT DEVELOPMENT AREA	
Request for extension of settlement development area to include whole of property and garden of East Lodge.	
SITES	
<u>B1 – Preferred in MIR</u>	
Request for allocation for housing and mixed use for the following reasons:	
<ul style="list-style-type: none"> • Outcome of LDP workshop was to support retail and housing uses • Surrounded by existing housing • Existing access on B9164 • Viability due to costs of decontamination • Lack of demand for business and industrial uses • Housing most feasible use • Housing and retail more compatible with amenity of houses adjacent • Plan should not be too prescriptive and allow market opportunities such as homeworking and a village shop to be explored • Environmental renewable will only occur with feasible development package 	
Community Council supports potential for business use on the site.	
Development of site should be predicated on the inclusion of a village shop given the sites central location; accessibility from B9164 thoroughfare and lack of other potential sites.	
<u>B2 – Preferred in MIR</u>	

SNH requests bat survey and if necessary mitigation as a developer requirement of the site.

Community Council supports potential for business development on the site.

H1 – Non-preferred in MIR

Considers site should be allocated for the following reasons:

- Demand for houses in the area due to the proximity of Inverness
- Close enough to the village to support local amenities
- Low density development will be delivered, plots will be large enough to provide space for a paddock
- Would allow for retention of good tree specimens
- Drainage can be fully contained within the site
- Adjacent to houses lining road into Kirkhill
- Potential of road improvements, including safer access to the village and traffic calming measures

Community Council supports Council's non-preferred status of the site. Further support for Council's non-preference for development on H1 for the following reasons:

- Good farmland
- Firms part of the hilltop prominent on approach to the village
- Clay soil
- No convenient watercourses for overflow therefore SUDS may be unsuccessful and cause flooding
- Pumping of waste water would be required
- Valued amenity area for walkers and house riders
- Presence of high voltage electricity lines
- Development would result in an unbalanced village

Request for allocation of small area of eastern end of H1 and smiddy for business use. Notes site should be large enough to allow access away from the road junction with the B9164

H2 – Non-preferred in MIR

Considers site should be allocated for housing development for the following reasons:

- Logical termination of the village
- Side of a principal road
- Easily serviced
- Capable of being masterplanned in such a way that respects its gateway nature and incorporates appropriate landscaping and open space
- Large enough to allow a set back from the overhead line
- Location would allow balanced, concentric expansion of the village

Community Council supports non-preferred status of the site. Further support for the Council's non-preference for development on H2 for the following reasons:

- Good farmland

- Firms part of the hilltop prominent on approach to the village
- Clay soil
- No convenient watercourses for overflow therefore SUDS may be unsuccessful and cause flooding
- Pumping of waste water would be required
- Valued amenity area for walkers and house riders
- Presence of high voltage electricity lines
- Development would result in an unbalanced village

H3 - Preferred in MIR

Community Council object to the allocation of this site on flood risk grounds

H4 – Preferred in MIR

Several objections to the allocation of the site for the following reasons:

- Parts of the site and access road are prone to flooding
- Unsuitable single track access with blind spots
- Pedestrian footways unsuitable
- Road safety issues with alternative access from Mansfield Park
- Tree loss
- Sufficient number of housing sites allocated and with planning permission many of which are unsold, unfinished or yet to begin
- No further allocations required for life of local plan
- Loss of croft land
- Loss of prime farmland
- Other easier sites to develop in Kirkhill, some already with planning permission
- H6, H7, H8, H10, former Fingask Farm and MU1 offer sufficient opportunity for housing development without H4
- Insufficient shops/facilities in the village
- Insufficient demand

H5 – Non-preferred in MIR

Support allocation of site subject to the following:

- Beech hedge, mature trees and peripheral strips of mature trees maintained to preserve wooded character of the former Achnagairn Estate
- Maintain access for walkers, horse riders etc.
- Limit number of houses due to tree preservation order
- Continuation of ribbon development starting at the West Lodge

Support for Council's non-preferred status of the site due to its distance from the village centre and because of potential impact on long established natural heritage woodland interest.

H6 – Preferred in MIR

Community Council supports preferred status of site, notes it may already have planning permission.

Request for H6 to be designated as special priority site for development due to the presence of abandoned, partially finished houses that are becoming a blight on the village. Large dead trees untended trees along the access road will become dangerous if left. If Japanese knotweed has appeared along the new access this this need immediate attention before it spreads.

H7 – Preferred in MIR

Community Council supports allocation of site, notes it may already have planning permission.

Request for site to be enlarged to include Achnagairn Farm which is derelict and becoming a ruin.

H8 – Preferred in MIR

Community Council supports preferred status of the site, notes it may already have planning permission.

Site may have an adverse effect on Inner Moray Firth Special Protection Area because of connectivity.

H9 – Preferred in MIR

Community Council supports preferred status of the site, notes it may already have planning permission.

SNH request bat survey and if necessary mitigation as a developer requirement for the site.

H10 – Preferred in MIR

Community Council supports preferred status of the site, notes it may already have planning permission.

MU1 – Preferred in MIR

Support for allocation of site for the following reasons:

- Road access is unconstrained - loop road can be provided to connect to Newton Park
- Easy access to foul sewer which has capacity
- Surface water treatment is easily accommodated as all the land to the north of the site is in the same ownership

Community Council object to the preferred status of the site for the following reasons:

- Lies outwith the village area for the provision of retail and community use
- Access could prove difficult
- Loss of good farming land

SNH note that development may have an adverse effect on the Inner Moray Firth Special Protection Area and therefore should be part of the Habitats Regulation Appraisal because of connectivity.

Respondent considers the site is well located but concerned due to traffic impacts along St Mary's Road and past with primary school. Specific concern about the capacity of the St. Marys Rd/B9164/Wardlaw Rd junction. Requests access should be by Newton Park or if this is not practical and new access is required it should be taken directly from the B9164.

OTHER ALTERNATIVE SITES AND USES

The following sites were suggested in representations but were not consulted upon as part of the formal alternative sites and uses consultation. This was due to scale/type of uses of proposed and/or the potential effectiveness of site.

Inclusion of Housing Allocation at Clunes House

Requests inclusion of former Clunes House within settlement boundary and allocation for 3-4 housing/tourist accommodation for the following reasons:

- Once an integral part of the Kirkhill community
- Fully serviced with exception of access upgrade
- Is an eyesore

Council's summary of responses to comments:

GENERAL ISSUES RAISED

Species

It is agreed that the general text for Kiltarlity will make reference to a possible requirement for species surveys, including reptiles to accompany planning applications.

Settlement Development Area

It is agreed that the settlement development area has been drawn poorly close to East Lodge at the western edge of village. The settlement development area will be amended in the Proposed Plan to reflect the extent of the property at East Lodge and its grounds.

SITES

B1 – Preferred in MIR

Site B01 lies on the eastern edge of Kirkhill. The site is known locally as MacMillan's Yard and it is currently occupied by a number of storage containers and derelict buildings. It is allocated in the Inverness Local Plan for business use. No business proposals have been brought forward since the time of this allocation.

It is now considered that the site may be more appropriate for mixed uses including housing, business and retail uses. Through the allocation of this site for such uses it increases the viability as of the site as it is understood there would be high costs for decontamination; such uses may be more compatible with adjacent housing on Newton Park; it is accepted there is a lack of demand for business and industrial uses and positive

reuse of the site would vastly improve its appearance.

It is agreed that given the sites central location and accessibility from the village's main spine road this makes it suitable for the location of a village shop. The sites allocation in the proposed plan will stipulate that retail amongst other uses would be acceptable on the site.

B2 – Preferred in the MIR

See response to site H2.

H1 – Non-preferred in MIR

Site H1 is a large triangular field mostly in agricultural use. It lies to the south west of Kirkhill approximately 250m from the existing settlement boundary, separated by an open agricultural field.

It is continued to be considered that this site should not be allocated for housing in the plan. There is several reasons for this, primarily because the site is not required to meet the housing land requirement in the Inverness Housing Market Area and that there are several other preferable sites within Kirkhill that are to be allocated to meet the housing land requirement. Furthermore the site is distant from village facilities; would potentially result in tree loss and pumped sewage would be required for part of the site.

In response to the objection to the non-inclusion of this site the following comments are made. It is accepted that there is demand for houses in the area consequent on Kirkhill's location approximately 10 miles from Inverness. However sufficient housing land to meet this demand has been allocated elsewhere in the village and in the wider Inverness Housing Market Area.

In terms of proximity to amenities the site is physically detached from the village, with the closest part of the site lying approximately 250m from the settlement boundary. The villages amenities lie well beyond this distance and are therefore not within active travel distance. With regards to low density development, Scottish Planning Policy requires efficient use of land and buildings. Density as low as that suggested in the representation would not make efficient use of land.

Part of the site is occupied by a grouping of mature and semi-mature trees and there is concern that if the site was developed these trees would be lost. It is noted that the developer states that development of the site would allow for the retention of good tree specimens, however without a site layout plan or tree survey it is difficult to estimate the extent of trees that may be retained.

In terms of the site being adjacent to a ribbon development of housing along the site this does not set a precedent for the acceptance or otherwise for further development in this location.

It is noted that drainage may be able to be fully contained within the site and that there is potential for road safety improvements, however these factors alone do not justify

allocation of the site.

Reasons in the other representations for the non-inclusion of the site are noted.

A respondent requested that a small area of the eastern end of H1 and former smiddy should be allocated for business use. Whilst this site may be suitable for business use it is not considered appropriate to allocate it given it is physically detached from the settlement and because planning permission has been granted for the erection of a house on the former smiddy site.

H2 – Non-preferred in MIR

Site H2 is a large field that is currently in agricultural use. It lies adjacent to the eastern Kirkhill settlement boundary.

It is continued to be considered that this site should not be allocated for housing in the plan. There is several reasons for this, primarily because the site is not required to meet the housing land requirement in the Inverness Housing Market Area; there are several other preferable sites within Kirkhill that are to be allocated to meet the housing land requirement. Furthermore the site is comparatively distant from village facilities; is crossed by overhead lines and pylons and would result in the loss of the currently open village outlook.

In response to the objection to the non-inclusion of this site the following comments are made. It is considered the existing new housing estate at Mansfield Park constitutes a logical termination of the village at present. Site H2 may offer longer term development potential, this can be reviewed during preparation of the next local development plan in the area. It is appreciated that the site may be unconstrained some respects, for example in terms of access, servicing and allowance for a set back from the overhead line and that it is capable of being masterplanned. It is not considered the site would allow balanced, concentric expansion of the village; rather it is felt that it would contribution to the creation of a linear settlement rather than allowing for consolidation. Therefore, on this basis whilst the site may be relatively unconstrained, at this time there is no justification for the allocation of the site in terms of the housing land requirement when other preferable site are available within the village and the wider Inverness Housing Market Area.

H3 – Preferred in MIR

Site H3 is a linear site in the west of Kirkhill. It has been allocated for housing in previous local plans and very low density housing on large plots has been delivered. Very little development potential now remains on this site taking into account development that has been built out and constraints imposed by the presence of attractive mature trees and access. It is therefore considered that given the limited capacity of the site it would be appropriate to not identify the site as an individual allocation but to leave the site within the settlement development area. This would allow for development in principle as outlined in Policy 34: Settlement Development Areas of the Highland-wide Local Development Plan.

It is noted that the Community Council object to allocation of the site on flood risk grounds. As the site will no longer be shown as an allocation there is no opportunity to list a flood risk assessment as developer requirement. However if deemed appropriate by SEPA or

the Council's Flood Team, flood risk assessments may be required to accompany individual planning applications. The outcome of any flood risk assessment will determine if additional housing is acceptable on the site.

H4 – Preferred in MIR

Site H4 lies 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.

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. 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 overcome there is no certainty that the site can be delivered. 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.

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 to be croft land.

For the reasons detailed above the site is not recommended for inclusion in the plan.

H5 – Non-preferred in MIR

Site H5 is a linear site adjacent to the south west boundary of Kirkhill close to Achnagairn House. It comprises a dense wooded area contained in the inventory of ancient woodland that is also protected by a Tree Preservation Order. There has been a history of planning refusals on this site; most recently in 2009 for the erection of 17 holiday lodges with parking and shop. Reasons for refusal of this planning application included the adverse impact on woodland, protected species and nearby listed buildings. For this reason the site will not be included in the Proposed Plan. Reasons set out in representations for support the non-inclusion of this site are agreed with and noted.

It is noted that one representor supported the allocation of the site subject to tight controls, for example maintenance of existing trees and hedges, limiting the number of houses and continued use for walkers, horse riders etc. This is noted, but on balance it is considered

for the reasons outlined above and the availability of more suitable sites elsewhere within Kirkhill and the wider Inverness Housing Market Area the site is not suitable to be allocated for development.

H6 – Preferred in MIR

Site H6 comprises several large complete houses in substantial plots. It is understood this site is now complete and therefore will no longer be identified as an allocation in the plan.

It is noted that there was a request for H6 to be allocated as special priority site as the site had been abandoned by the developer when it was partially finished and was in a state of disrepair. However, since the time of the MIR consultation planning permission (ref: 13/01127/FUL) for the change of use of five of the units has been granted for the change of use of the units for holiday letting accommodation and additional en-suite accommodation. On this basis the site is intended to be brought into positive and therefore any identification of this site is not considered necessary.

H7 – Preferred in MIR

Planning permission (ref:07/00626/FULIN) was granted for 25 units on site H7 in 2007. Although this permission has now expired the principle of housing has been established and the site and it therefore the site remains allocated.

With regards to extending the site to include Achnagairn Farm, it is not felt there would be any benefit in this given the farm buildings lie within the settlement development area and the HwLDP supports the conversion or reuse of traditional buildings and bringing previously-used land back into beneficial use. The principle of redevelopment of farm buildings is therefore supported without the need for an individual allocation.

H8 – Preferred in MIR

The Community Council's support of this allocation is noted and the site continues to be supported in the plan.

The Habitats Regulation Appraisal screened in this site as it was considered likely to have a significant effect on the Inner Moray Firth Special Protection Area in combination with other plans or projects. However as there were no plans or projects which in combination may result in a likely significant affect the site did not require appropriate assessment and therefore no mitigation is required in the plan.

H9/B2 – Preferred in MIR

Sites H9 and B2 are at Fingask Farm to the north of the village. They comprise several farm buildings and residential properties associated with the farm. Planning permission was granted (ref: 05/01036/OUTIN) in 2006 for the formation of residential units and commercial unit utilising the existing steading group. A reserved matters application was received in 2007 (ref: 07/01180/REMIN) for the conversion of the steading to 13 units, this application remains pending.

It is now considered that given that Fingask Farm is physically detached from Kirkhill it

should not be contained within the settlement development area. The inclusion of Fingask Farm also allowed for the field to the south of the farm to lie within the settlement development area as 'white land' which could set a precedent for ad hoc development of the village. The housing in the countryside (hinterland areas) policy of the HwLDP supports the conversion or reuse of traditional buildings and planning permission has been granted in the past for conversion of the steading buildings. Therefore this development could be supported without a specific allocation. There may also be potential for new build housing on the site shown as H9 in the MIR as expansion of existing groups subject to a number of criteria is also supported in by housing in the countryside (hinterland areas) policy of the Highland-wide Local Development Plan. These sites therefore will not longer be allocated in the plan.

It is noted that SNH request a bat survey, it is expected that this would have been provided previously to support the planning application and would be a requirement of any future planning application.

H10 – Preferred in MIR

Planning permission has been granted for site H10 and it is currently being built out. This allocation will remain merely to reflect the existing uncompleted parts of the planning permission.

The Community Council's support is noted.

MU1 – Preferred in MIR

Site MU1 is a logical expansion of Kirkhill, particularly given the progress of the adjacent allocation H10. A condition of its allocation will be the creation of a loop road connecting to Newton Park which will help take pressure of the St. Marys Rd/B9164/Wardlaw Rd junction. A transport assessment or transport statement is likely to be required to support any future application to demonstrate impact of the development upon traffic movements in the village.

It is noted that there is easy access to the foul sewer that is understood to have capacity.

It is recognised that the lies some distance from the village centre and therefore is perhaps not the optimum site for a new village shop and community facilities. Furthermore it is now considered that a more suitable site for a village shop is within the site shown as B1 in the MIR. It therefore now considered that the site is more suitable for a different combination of uses, including housing, community facilities, business and open space.

In terms of the loss of good farming land the entire site does comprise prime agricultural land. Scottish Planning Policy requires that development on prime quality agricultural land should not be permitted unless it is an essential component settlement strategy or is necessary to meet an established need. The allocation of this site in Kirkhill is considered an essential component of the settlement strategy whereby the plan supports the allocation of housing to provide for housing need throughout the plan area. The site is considered a logical expansion site in the context of Kirkhill.

The Habitats Regulation Appraisal screened in this site as it was considered likely to have a significant effect on the Inner Moray Firth Special Protection Area in combination with other plans or projects. However as there were no plans or projects which in combination may result in a likely significant affect the site did not require appropriate assessment and therefore no mitigation is required in the plan.

OTHER ALTERNATIVE SITES AND USES

The following sites were suggested in representations but were not consulted upon as part of the formal alternative sites and uses consultation. This was due to scale/type of uses of proposed and/or the potential effectiveness of site.

Inclusion of Housing Allocation at Clunes House

The former Clunes House was a substantial building located to the north west of Kirkhill close to Fingask Farm. The house was demolished sometime ago. What now remains is groups of mature trees close the sites margins and a central open area that is now overgrown.

In the Inverness Local Plan the site lies within the settlement boundary and is allocated for amenity use. The text associated with the site (site reference 10) explains that land comprising the wooded policies and fields at Clunes together with the established walk is safeguarded. It goes on to state that exceptionally scope may exist for one house located in the vacant site adjoining the path to the south-west of the Grange, subject to minor and sensitive upgrading of the access and replanting of the margins of the former mansion house site.

It is now not considered appropriate for the site to be included within the settlement development area of Kirkhill as it is physically detached and lies some distance from the village. It is proposed to contract the settlement development area to limit it to the boundary of the built up area of Kirkhill and/or associated high quality, accessible and fit for purpose open space.

Whilst Clunes House may have formally been an integral part of the Kirkhill community it has now been demolished for a significant time and therefore is no longer integrated with the settlement.

By the former Clunes House site lying outwith the Kirkhill settlement development area it would then lie within the hinterland. This would mean the principal determining policy for any planning application for housing would be Policy 35: Housing in the Countryside (Hinterland Areas) of the Highland-wide Local Development Plan. This policy presumes against housing in the countryside subject to a number of exceptions, including redevelopment of derelict land and development of sites where a return to a natural state is not readily achievable and where a wider environment benefit can be achieved through development. This policy also applies to tourist accommodation. There is therefore potential for the support of development at this location in the hinterland by the Highland-wide Local Development Plan. Such support which could allow for improvement of sites appearance. It is noted that the site is fully serviced.

Recommended Proposed Plan Content:

- The Proposed Plan text and mapping is available within the Committee papers
- In summary, the following MIR sites are retained:

H7, H8

- The following MIR sites are retained but the size and/or use of the site has been modified:

H10, MU1 and B1

- Remaining MIR sites are not retained / recommended for inclusion
- No new sites are recommended for retention within the Proposed Plan

Issue	TOMATIN
MIR reference:	Main Issues Report (MIR) 7.10
List of persons and organisations who submitted comments (including reference number):	
Highlands & Islands Green Party (00491), Mr And Mrs Alexander And Margaret Sutherland (00669), Mr George Macleod (00620), Mrs Molly Noble (01096), Mrs Pam Hardwick (00653), Scottish Environment Protection Agency (00523), Scottish Natural Heritage (00204), Strathdearn Community Council (00908), Susan Watt (00644), The Scottish Government (00957), Tomatin Estate (01255)	
Summary of comments received:	
<p>GENERAL ISSUES</p> <ul style="list-style-type: none"> • Settlement wide developer requirement for species surveys including reptile, red squirrel and bat surveys • Request by SEPA that the Settlement development area (SDA) is reduced to exclude forestry area due to waste water constraints. Another respondent believes that land south of the railway line but north of the commercial forestry (west of the main village) would be suitable for development. • One respondent states that any loss of scots pine must be fully compensated for. • General desire for the Plan to secure affordable housing, new amenities and improve employment opportunities. • Community council supports greenspace safeguard surrounding the village and highlights potential benefits when the A9 is fully dualled. • Scottish Government suggests an A9 access strategy is required to assess the cumulative impact of developments along the A9 corridor and this should be agreed with Transport Scotland. • Local landowner requests that developer contributions are set at a reasonable level and do not inhibit development. <p>MIR SITES</p> <p><u>H1</u> Community council supports allocation and SEPA request a Flood Risk Assessment.</p> <p><u>H2</u> Mixed response to the site. The community council are supportive but other respondents object due to concerns about the impact development will have on the native woodland and protected species, and constraints with access and utilities.</p> <p><u>H3</u> There are several objections which focus on access problems and impacts on long established natural woodland. In contrast, the landowner supports the development stating that access arrangements were agreed in principle with TECs and loss of woodland argument is incorrect as it is open ground.</p> <p><u>H4</u> Landowner supports housing development as it is suggested that access and visual</p>	

impacts can be overcome by layout and planting. However, several respondents object due to the steepness of the site and the impact on the church and its setting.

H5, H6, H7 and MU3

Landowner supports housing developments at H5, H6 and H7. Community council supports H5 and H6 but wish to see H7 allocated for mixed use. Landowner supports H7 for housing as it is considered that there is plenty of business land elsewhere and an alternative site has been identified for a playing field (at C1). There are objections based on the loss of semi natural origin woodland, impact on protected species and impact on the character of the village. However, it is also suggested that the commercial woodland may have development potential as the site is in a central location. SNH state a high level of compensatory planting would be required and SEPA note the need for public sewer connection for all sites north of the railway line.

H8

Landowner does not wish to see site developed, at least in short term. There were also objections from SNH and others due to poor drainage and woodland on the site. SEPA also note the need for a sewer connection.

MU1 and MU2

There is support for the development of MU1 and MU2 and the landowner highlights that proposals are being advanced for an affordable housing development.

MU4

The community council supports the mixed use allocation but SEPA highlights a potential flooding issue and requests a Flood Risk Assessment be carried out and also note the lack of a sewer connection.

B1

Community council support the business allocation and the Green Party wish to see it safeguarded for a rail halt. However, Scottish Government indicate that until an appropriate transport appraisal has been undertaken (including engineering and feasibility studies) for the Tomatin site and, following that, a positive business case produced, Transport Scotland will not support the site being allocated for a potential rail halt.

B2, B3 and B4

There is a lot of support for these allocations as it is considered they could help to support the local economy. SEPA note that any development on B2 should avoid the flood plain and applications on all three sites should be supported by a Flood Risk Assessment. They also note the need for a public sewer connection.

C1

There is widespread support for the allocation of community uses on the site. The landowner notes that this would be tied to the reallocation of H7 from community uses (in the previous plan) to housing. Some respondents did raise concerns about potential archaeological and biodiversity implications.

I1

SEPA note that any development on I1 should avoid the flood plain and applications on all three sites should be supported by a Flood Risk Assessment. Landowner and community council support the allocation.

Modifications sought by those submitting representations:

GENERAL ISSUES

- Settlement-wide developer requirement for species surveys including reptiles, red squirrels and bats.

- Contraction of settlement boundary to exclude forestry/woodland area.

MIR SITES

H1, H8, MU4, B2, B3, B4, C1, I1

SEPA request insertion of text to indicate potential flood risk and requirement for Flood Risk Assessment to support any planning application. Also reference to requirement for public sewer connection.

H2, H6, H7 and MU3

Non-retention of site or adequate mitigation. Additional mitigation should be offered in terms of woodland management and recreational access.

H5, H6 and H7

Inclusion of reference to requirement for public sewer connection.

Council's summary of responses to comments:

GENERAL ISSUES

Species Surveys and Woodland

Non species-specific issues are already addressed via the Council's Highland wide Local Development Plan general policies. However, specific survey requirements for reptiles, red squirrels and bats would be appropriate. Compensatory woodland provision is covered by an existing Highland wide Local Development Plan policy. Particular constraints and requirements will be listed for individual sites.

Settlement Development Area (SDA)

Development proposals outwith the Tomatin SDA are assessed against the Council's relatively permissive countryside policies because Tomatin is beyond the currently defined Hinterland boundary, which delineates the extent of Inverness' commuter housing pressures. Accordingly, the Plan encloses land west of the village centre within the SDA so it can be safeguarded as important greenspace for its recreational, amenity and heritage value. The land suffers from road access constraints and better development land allocations exist and are being retained. Therefore, the SDA should be retained unchanged.

Affordable Housing and Employment Opportunities

The Council recognises the need for securing affordable housing, particularly in rural areas. Our Developer Contributions Supplementary Guidance sets out the Council's policy on affordable housing. It requires that at least 25% of all developments of 4 or more units to be affordable. The Council also aims to promote business opportunities in rural communities and several sites have been allocated in Tomatin for business, community and retail, uses which will help to create and support jobs in the area.

A9 Access Strategy

The Plan does not propose any new trunk road accesses. If many of the development sites are implemented then an intensification of the A9 village junction will occur but this section of the A9 is programmed for early improvement as part of the further dualling scheme. That scheme can and should include safety improvements to the existing junction. Therefore, an A9 cumulative impact assessment is not required.

Developer Contributions

The Council's Developer Contributions Supplementary Guidance allows developers to seek a reduction in contributions if they can demonstrate abnormal site development costs. The Council does not wish to stymie development and will compromise provided the

impacts of that development can be offset to a reasonable degree.

MIR SITES

H1

The community council's support for the site is noted. Due to its relatively close proximity to the centre of the village and lack of constraints the site should be retained subject to developer requirements to address potential flooding issues and the need for footpath and public sewer connections.

H2

The Council recognises the concerns expressed about woodland impact and road access constraints. However, the site now benefits from an extant planning permission for 4 houses. As a result the site should be retained subject to matters already conditioned.

H3

The degree of woodland impact and technical feasibility of forming a suitable road access are disputed matters that can only be resolved at planning application/appeal stage when the detail of a particular proposal is known. However, it is known that there is general community opposition to the site and a previous application was refused by the Inverness, Nairn, Badenoch and Strathspey Planning Applications and Review Committee on 14 April 2009 because the proposed development was inconsistent with the development pattern, would have an adverse impact on amenity, was outwith the settlement boundary, would have a potential negative impact on trees, and the access was too restricted. This is still the view of the Council. Therefore, the site is not recommended to be taken forward to the Proposed Plan.

H4

The support from the landowner (Tomatin Estate) and reassurances regarding feasibility of gaining access and providing a suitable layout and relevant setback from the railway line is noted. However, the objections from several respondents in relation to the steepness of the site and the impact which development would have on the existing church during and after construction are well founded. Development would significantly alter the landscape in this visually prominent location within the village. It would also have significant impact on the setting of the Category B Listed Tomatin railway viaduct and surround the historically important 'tin' church which would radically alter its setting. Therefore, the site should not be retained within the Proposed Plan.

H5

The general support for the housing allocation of H5 is noted. Despite the lack of a public sewer connection, the site is close to the village centre and is relatively free of other constraints. The site should therefore be retained but any developer required to ensure public sewer and footpath connections as part of a master plan for this site and adjoining allocations.

H6, H7 and MU3

The mixed response to the development of H6 and H7 and the community council preference for H7 to be allocated as Mixed Use is noted. H7 was allocated in the 2006 Inverness Local Plan for mixed use because of the intention to secure land for community sports facilities. This use is now allocated at C1 which is more suitable for playing field use as being flat, open and available. Consequently H7 is now considered to be more suitable for housing use only. These sites benefit from having no significant flooding issues but development will be dependent on the delivery of new public sewerage. The sites H6 and H7 are therefore considered as important medium to long term expansion areas of the village and should be retained within the Plan. However, a developer master

plan will be required and will need to address protected species issues and provide high quality compensatory planting in the surrounding area. Natural woodland should also be retained as much as possible and additional mitigation should be provided in terms of woodland management and recreational access. A developer requirement will also be set to provide improved footpath connections along the main road through the village. The development of H7 will also be dependent on the availability of C1 for the provision of sporting facilities.

H8

The general opposition to this site allocation is noted as is the landowner's intention to pursue other sites for development. Woodland and flooding issues are accepted. There are also alternative, allocated housing site options elsewhere in the village which lie closer to its centre and its service connections. Accordingly, the site should not be retained within the Proposed Plan.

MU1 and MU2

The general support for the development of MU1 and MU2 is noted. The sites benefit from being part-brownfield, close to existing sewerage works and positioned centrally within the village. MU2 also benefits from having a live planning consent for a mixed use development (housing, public house and a retail unit). Therefore both sites should be retained within the plan.

MU4

The community council support for the mixed use allocation is noted. The allocation covers the entire Tomatin distillery site and although the Council are supportive of the distillery continuing to develop the business allocation B2 will support this. However, it is not considered necessary to allocate the entire site which includes housing and other uses as this offers little redevelopment opportunity and no adopted road access exists through this area. Therefore, the site should not be retained within the Proposed Plan but will remain within the Settlement Development Area boundary.

B1

The community support of the allocation of B1 for business uses, particularly as a rail halt is noted. However, until appropriate transport appraisal work has been undertaken for the Tomatin area, and following that a positive business case produced, Transport Scotland will not support it being allocated for a potential rail halt with the implication that it may not be funded by transport bodies. The site should remain as a generalised business use allocation including a land safeguard to leave open the future possibility of rail halt. Upgrading of the road access to adoptive standards will also be required.

B2

Community council support of the development is noted. The allocation covers the existing distillery and additional land to the east which will allow for the expansion of the distillery and related uses. As a result the site should be retained including a Flood risk Assessment as requested by SEPA.

B3

Support for the allocation of the site is noted. Although B3 would result in a loss of Scots Pine woodland it is of plantation origin and has limited natural heritage value. Compensatory planting will also be required of the developer.

B4

The general support for the site is noted. B4 benefits from being brownfield land and has a planning permission. The site's prominence from the A9 is a commercial advantage but also requires a design quality developer requirement. B4 is considered an important business allocation within the village and should be retained within the Proposed Plan.

C1

This site has been allocated for community use due to the need to secure sporting facilities for the expanded village. Despite concerns about archaeology and biodiversity impacts, there are no historic records within the site except for the former military road to the east and no known natural heritage interests. The C1 allocation will be linked to the development of the site H7.

I1

The site safeguards land for sewerage facilities which will be required for development of land north of the railway line. This is supported by the landowner and the community council. The site should be retained within the plan but subject to further assessment of flood risk.

Recommended Proposed Plan Content:

- The Proposed Plan text and mapping is available within the Committee papers
- In summary, the following MIR sites are retained:
H1, H2, H5, H6, H7, MU1, MU2, B1, B2, B3 and B4
- All remaining MIR site references are not retained
- No new sites are recommended for retention within the Proposed Plan

Issue	Avoch	
MIR reference:	MIR (insert para. or section number)	
List of persons and organisations who submitted comments (including reference number):		
Avoch & Killen Community Council (00330), Broadland Properties Ltd (01197), Caroline Eccles (00025), Michael Armitage (00588), Mr George Glass (00003), Ms Frances Armitage (01185), Scottish Environment Protection Agency (00523), Scottish Natural Heritage (00204)		
Summary of comments received:		
<p><u>General</u></p> <p>Ardvreck - A respondent seeks inclusion of garden ground at Ardvreck within SDA.</p> <p>Open Space - A respondent is concerned about the lack of identification of green space in IMFLDP that was identified in RACE. A couple of respondents including the Community Council question why the slope above and parallel Ormond Terrace has not been included within the settlement boundary and identified as open space as shown in Ross and Cromarty East (RACE) Local Plan due to concern about the impact on landscape setting and amenity if this is not protected as open space.</p> <p>Scale of Development - The Community Council are concerned about scale of development and its effect on the character of the village, landscape setting, and road network.</p> <p>Housing in the Countryside - The Community Council are concerned about Housing In the Countryside housing cluster policy approach and asks what the status is for Killen and Wester Temperland.</p> <p>Tourism proposal at Killen, Burnside Woods - the proposal is to develop 12 holiday let properties and Activity Centre/Shop within the existing woodland with associated woodland access and management. They refer to Highland-wide Local Development Plan (HwLDP) policies 44 Tourism accommodation, 35 Housing in the countryside, considering that a business plan can be submitted for the proposal (as it is a clearly defined business opportunity related to tourism). They also note that Policy 43 advises that "Area local Development Plans will identify more specific opportunities for enhancement of existing tourism facilities and commend proposals at Burnside Woods, Killen for inclusion in the Plan.</p> <p><u>B1 Muiralehouse Farm – Preferred in MIR</u></p> <p>The Community Council are concerned about impact on conservation area and tourism, and seek mitigation for visual impact. There is development interest support for this site as part of a masterplanning process alongside H1 and C1, and the development interest considers that new planting on south and west boundaries will help integrate development into the landscape.</p> <p><u>B2 Harbour – Preferred in MIR</u></p>		

SNH requests Habitats Regulations Appraisal (HRA) on potential adverse effects on SAC, however land based development would not raise HRA issues. SEPA will support if allocated for harbour uses.

C1 West of the Old Manse – Preferred in MIR

Community Council are concerned that C1 (outwith the village) may not be the site to deliver community facilities and that more thought should be given to appropriate contribution.

Developer interest states that a remote path through Memorial field will encourage active and healthy travel and that this site may include potential for the relocation of or an addition to the existing playing field provision in the longer term. However it is also suggested that C1, H3, and B1 should be subject to a masterplan process preceded by public engagement.

H1 Rosehaugh East Drive – Preferred in MIR

Community Council note that planning permission has been granted but object on following grounds: impact on protected species, habitats and recreation, ancient woodland, water quality, limited access to public transport, lies on a flood plain, possible spread of invasive species, increase traffic on School Brae and junction with the High Street.

H2 Memorial Field – Preferred in MIR

Community Council support this site but seek safe active travel routes to local services and pedestrian crossing at the western (bus) entrance to the Primary School. There is also some objection to H2 as it is prime agricultural land and it is considered that this should preclude any housing/commercial development.

H3 West of the Old Manse - Preferred in MIR

Community Council considers this their second preferred area for residential development, but consider a need for active travel links; explore creation of off road routes; entrance to village and retention and expansion of features like the beech hedge which screens this area from the road. There is also some other objections to H3 as it is prime agricultural land and it is considered that this should preclude any housing/commercial development.

The landowner further commits to: preparing a masterplan; the master plan indicating the number of houses and phasing at a rate and scale that respects the functioning of the expansion land, its character and the viability of the development; including a landscaping and structure planting framework (alongside retaining existing woodland) to soften of development through introduction of significant areas of deciduous structure planting.

H4 West of Rosehaugh Crescent – Preferred in MIR

The Community Council support site, but the following must be considered :increase in water run-off, potential for flooding, negative impact upon water quality, riparian habitat and protected species in and around the burn and SAC, increased traffic on Schoolbrae.

H5 West of Ormonde Terrace – Preferred in MIR

The Community Council are satisfied with limited scope of development but consider design is out of keeping with the character of Ormonde Terrace, and that development must be sympathetic to the conservation special character. A respondent is also

concerned about potential surface water run off issue.

H6 North of Braehead - Non preferred in MIR

The Community Council support Council's non-preference of H6 for the following reasons: highly visible overlooking conservation village, steep group likely to result in drainage issues, prime agricultural land, vehicular access problems – crossing required on core path and joining school brae, impact upon trees on railway line as new residential may interfere with them; and new residents dumping garden waste over fences. There are also several other objections to the site which cite similar concerns as well as wildlife/habitat impacts.

H7 West of Avoch House - Non Preferred in MIR

A few respondents including the Community Council have supported the Council's non preference of this site for the following reasons: it lies outwith SDA, landscape and visual impact, comparatively distant to village centre, loss of important trees/recreational use, encroachment into rural parking using spurious argument of rounding off; unlikely to contribute socially or economically to the development of the village as a community; impact on environmental habitats and recreational value of Rosehaugh Estate to the community; lies within flood plain and development must not lead to increase in risk of flooding; loss of prime farm land; reduction in water quality or impact on habitats downstream and tidal zones at Avoch Bay; may lead to increase in the spread of invasive ornamental species from gardens; and increase traffic on School Brae and junction with the High Street.

The developer suggests trees can be retained even at access with low density development of 8 plots, and that it can provide large plot development set back appropriate distance from trees, plus can connect to walking/cycling paths.

H8 South of the Old Manse - Non preferred in MIR

The development interest seeks the inclusion of the northern part of this site as part of an overall masterplan including C1, B1 and H3, considering that the additional housing land now sought will make the provision of community and recreation uses at the scale indicated feasible to a developer. However there are several respondents including the Community Council who support the Council's non preference of this site for development, due to concerns about the scale of development in the village, concern over visual impact, and concerns over infrastructure provision.

I1 South of Ormonde Terrace - preferred in MIR

The Community Council supports this site but is concerned about access and seek a new access from the road to the north west. The developer supports the site and seeks access via the original industrial estate.

Council's summary of responses to comments:

General

Ardvreck - The property owner seeks inclusion of ground at the rear of Ardvreck house to be included within Settlement Development Area (SDA). This site has been subject to a planning application that was refused at the North Planning Applications Committee. It is considered that some of the reasons for refusal demonstrate why it should also not be identified within the Settlement Development Area. These reasons are that:

- It fails to deliver an appropriate plot ratio for its location, taking into account the

established development pattern in the immediate surrounding area. Furthermore, the proposal is not in keeping with the scale and form of the existing house;

- The proposed development is a backland development in that it is located to the rear of an existing house and does not have a direct road frontage, unlike neighbouring properties. The scale of the proposed house, plot ratio, scale and form of development are not in keeping with surrounding properties;
- It has the potential to impact on the amenity and privacy of the existing house. It is not considered that the proposed and existing house would enjoy the standard of amenity expected for separate houses at this location. The proposal also has the potential to impact on neighbouring properties due to intensification of use of the existing private access track; and
- The access that has been formed to the site from the private access track is substandard with restricted visibility.

Therefore the extension of the SDA to include land at the rear of Ardvreck house is not recommended for the Plan.

Open Space - There is concern expressed about the lack of identification of green space that is identified in RACE. The purpose of the Main Issues Report is to review any major changes to the Local Development Plan. Green spaces will continue to be identified and protected as long as they are considered to meet the criteria identified in IMFLDP. This means the Council will identify and safeguard areas of high quality, fit for purpose and accessible open spaces and this will be carried out using the methodology of the Highland Greenspace Audit and based on the policy principles as set out in Policy 74 Open Space of the Highland-wide Local Development Plan. At the moment this task has not been carried out and the mapping of green spaces in the plan will therefore change after this task is complete. However the land above Ormonde terrace is outwith the Settlement Development Area (SDA) and therefore does not need to be identified as public open space as the General Policies of the HwLDP will presume against unplanned housing development outwith the SDA.

Scale of the Development – In relation to the Community Council's concern about scale of development, this is determined for Avoch based on the housing land requirement identified in the Highland-wide Local Development Plan (HwLDP). You can refer to the schedule 4 on the Vision and Spatial Strategy for more information on this aspect. This has resulted in land for 123 new homes being identified for the period 2011-31. The sites selected are considered to be the most suitable in the village based on a range of criteria which includes impact on the character of the village and its landscape setting, and on the local road network. This is also reflected in the mitigation sought on each site, for example seeking structural planting to mitigate the visual impact of proposed development at approach to the village from Munloch.

Housing in the Countryside - The Housing in the Countryside and Siting and Design Supplementary Guidance is not currently under review, and has only recently been adopted by the Council. When it comes round for review again we will consider any comments made on this. Killen and Wester Templand are not identified as Other Settlements for the purpose of the Inner Moray Firth Local Development Plan and therefore would be considered in terms of the Housing in the Countryside: Siting and Design Supplementary Guidance which broadly speaking offers scope for limited infill development and rounding off of housing groups. The Other Settlements policy is more supportive of larger development proposals (than the infill, rounding off policy supported

by the Housing in the Countryside: Siting and Design Supplementary Guidance) however this is reserved for communities that have facilities to support, and where more development is appropriate subject to consideration against the provisions of this policy (please refer to the Other Settlements policy and schedule 4 for more detail).

Tourism proposal at Killen, Burnside Woods – The respondent notes that Policy 43 advises that “Area local Development Plans will identify more specific opportunities for enhancement of existing tourism facilities”. However the Area Local Development Plans will only consider the appropriateness of these proposals where they are associated to a main settlement and/or where they are of strategic significance. For smaller scale proposals of this nature they are adequately covered by the policies of the HwLDP and the respondent can take forward their proposal as a planning application with consideration given to the HwLDP policies mentioned in their submission namely: 44 Tourist Accommodation and 35 Housing in the Countryside. It is generally noted that a well sited, designed and serviced tourism proposal would likely be compliant with existing HwLDP policies and it is noted that additional HwLDP policies 28 Sustainable Design, 29 Design Quality and Placemaking, 51 Trees and Development, and 52 Principle of Development in Woodland will be key to the assessment of this proposal and should be considered alongside the Supplementary Guidance on Trees, Woodland and Development when developing a proposal in this location. It is recommended that this site should not be included in the Plan.

B1 Muiralehouse Farm – Preferred in MIR

With regard to B1 there is concern from the Community Council about potential impact on the conservation area and tourism, but no objection. Mitigation is offered by the developer interest through a masterplan approach which includes preparation of a landscape and deciduous structural planting framework (with planting proposed to the north, south and west of the site). Also visualisations should be required to inform the layout and design of development, as siting and design will be as important as planting to the mitigation of impact. It is considered that although this site has sensitivities it should be supported. Additional developer requirements include a possible Transport Assessment and possible right hand turning lane requirement depending on the level of development proposed through the masterplan. Therefore this site is recommended for inclusion the Plan.

B2 Harbour – Preferred in MIR

On B2 SNH requests Habitats Regulation Appraisal on potential adverse effects on the Moray Firth SAC, however land based development would not raise HRA issues. The Habitats Regulation Appraisal screened in this site as it was considered likely to have a significant effect on the Moray Firth SAC; it therefore required appropriate assessment. The appropriate assessment identified potential impacts of development of the site upon the Moray Firth SAC and subsequently identified mitigation measures that would allow there to be no residual impact on the integrity of the European site. Full details of potential impacts and mitigation are provided in the Habitats Regulation Appraisal; mitigation requirements should also be detailed in the Plan. SEPA will support if allocated for harbour uses and depending on the type of development proposed. There could also be a potential parking issue as the area currently provides parking. It is considered that as per SEPA’s comments this site (and the Ross and Cromarty East Local Plan allocation for harbour uses) it should only be allocated for harbour uses, as this meets the Council’s and Scottish Planning Policy on flood risk. Compensatory parking may be required for any loss of existing parking. Therefore this site is recommended for inclusion the Plan subject to

the above mitigation being secured through the site requirements.

C1 West of the Old Manse – Preferred in MIR

There is concern expressed from Community Council that because C1 lies outwith the village it may not be the site to deliver community facilities. However the developer has committed to providing a remote path through Memorial field which will encourage active and healthy travel and considers that the site may include potential for the relocation of or an addition to the existing playing field provision in the longer term. It is considered that it is an appropriate site for community uses and that the appropriate type of community provision can be further considered through the masterplan process. Therefore this site is recommended for inclusion the Plan.

H1 Rosehaugh East Drive – Preferred in MIR

The Ross, Skye and Lochaber Planning Committee on the 6th October 2009 minded to grant outline planning permission for 22 units and 8 affordable units subject to a Section 75 agreement to cover the affordable housing provision, and a commuted sum for the existing play area by Mackay Terrace. However the planning permission has not yet been issued as the Section 75 agreement is still outstanding.

The principle of development was however supported in RACE Local Plan and in the Ross, Skye and Lochaber Planning Committee decision. The impacts mentioned have been considered and addressed where necessary by condition through the planning application. It should be clarified that there is no ancient woodland within this allocation and the site does not lie within the SEPA flood map showing 1 in 200 year risk which is used to determine whether a site is susceptible to flooding, and there is no objection to this site from SEPA. For these reasons this site is recommended for inclusion the Plan.

H2 Memorial Field – Preferred in MIR

Whilst its development will result in the loss of prime farm land it is considered that this site is a key part of the settlement strategy and therefore accords with Scottish Planning Policy in this regard. When looking overall at the site there are factors which support its allocation not least its proximity to the village centre and the primary school and its good public transport links. This allocation should reflect the developer requirements established through conditions on the full planning permission that the Ross, Skye and Lochaber Planning Committee on the 6th October 2009 which minded to grant the planning application subject to a Section 75 agreement to cover the affordable housing provision which is still outstanding. This site is recommended for inclusion the Plan.

H3 West of the Old Manse - Preferred in MIR

Whilst its development will result in the loss of prime farm land it is considered that this site is a key part of the settlement strategy and therefore accords with Scottish Planning Policy in this regard. When looking overall at the site there are factors which support its allocation with its proximity to the village centre and the primary school and its good public transport links. Therefore this site is recommended for inclusion the Plan subject to the appropriate requirements.

H4 West of Rosehaugh Crescent – Preferred in MIR

It is considered that this site is limited with no access strip reserved to continue an access off the end of Rosehaugh Crescent. It is possible that an access solution could be achieved but it would not be up to publicly adoptable standards and this would therefore

limit the level of development that could be accommodated. Since the level of housing development that the site could support is likely to be less than 10 then it is more appropriate to retain this site, without a specific allocation within the Settlement Development Area where the presumption is in favour of development subject to the provisions of the Highland wide Local Development Plan general policies. The provisions of these general policies will ensure issues mentioned by the Community Council such as appropriate surface water drainage solutions are secured. Therefore it is recommended that this site should not be allocated for housing but should be retained within the Settlement Development Area in the Plan.

H5 West of Ormonde Terrace – Preferred in MIR

It is considered that given the planning permissions already secured, and also development progress of this site, this site should not be shown in the IMFLP. Detailed issues on the design and drainage will be picked up in planning applications for the remaining plots. The Highland-wide Local Development Plan general policies will ensure issues are addressed such as securing appropriate surface water drainage solutions. It is therefore recommended that this site should not be retained in the Plan but should be retained within the Settlement Development Area.

H6 North of Braehead - Non preferred in MIR

This is a very sensitive site to develop in terms of visual impact on a prominent site and there are difficulties in achieving a suitable access with mature trees impacts, and potentially compensatory parking issues to be overcome. For these reasons/sensitivities and also because the access difficulties suggest that the effectiveness of the site is not clear this site is not recommended for allocation in the Plan. This site is however subject to a planning application and because it is a housing allocation in the RACE Local plan if the requirements set out in Development Plan can be addressed including the general policy provisions of the Highland-wide Local Development plan then it will secure planning permission. There is therefore a window of opportunity for the applicant to try and address the issues and come forward with a proposal that meets the provisions of the current Development Plan however this site is not recommended for retention in the Plan due to the sensitivities and difficulties associated with its development.

H7 West of Avoch House - Non Preferred in MIR

This is a sensitive and difficult site to develop. There are trees/woodland setback issues and there is a need to minimise the landscape and visual impact. In terms of tree impact siting at least 20 metres from the woodland to the north and the avenue to the south would likely be required however this would increase the landscape and visual impact. If tree loss could be avoided then the compromise could be possible post development tree resentment. Whilst the trees could be secured by a TPO it is anticipated that ongoing pressure would remain as there would be some amenity impact for the houses. The Council's TEC's roads advice is that there are visibility issues and it would contribute to a pinch point in the local road network. Also other sites in Avoch (H2 and H3) represent more suitable locations (distance from services) for development than this site. In Avoch the sites recommended for inclusion in the Plan provide sufficient opportunity. Therefore this site is not recommended for inclusion in the Plan.

H8 South of the Old Manse - Non preferred in MIR

The development interest seeks the inclusion of the northern part of this site as part of an overall masterplan alongside the preferred sites C1, B1 and H3 which are recommended

for inclusion in the Plan. The case for the inclusion of site H8 is that the additional housing land now sought will make the provision of community and recreation uses at the scale indicated feasible to a developer. However there are several respondents including the Avoch and Killen Community Council who support the Council's non preference of this site for development, due to concerns about the scale of development in the village, visual impact, and impact on infrastructure provision.

The other sites in Avoch represent more suitable locations for development than this site. The sites recommended for inclusion in the Plan provide sufficient opportunity. Although C1 will be allocated the size of the open space contribution will be defined by the level of housing development proposed and it is considered inappropriate to identify additional housing opportunity just to secure increased open space contribution. It is considered that the appropriate type of community provision should be further considered through the masterplan process, recognising that there is already playing field provision. Therefore no part of the H8 site is recommended for inclusion in the Plan.

I1 South of Ormonde Terrace Preferred in MIR

The Council's roads advice from TECs is that access should be from existing estate due to concerns about a new access from the road to the north west (because of visibility concerns and because there is an access opposite on road to north west of the site). It is therefore considered that the site should be supported in the Plan, that access should be from the existing industrial estate, that there should be requirements to ensure tree planting and landscaping, and that there should be physical traffic calming.

Recommended Proposed Plan Content:

The following consideration of sites sets out some of specific developer requirements however this is not a complete list of the developer requirements, a full list will be developed and presented in the Proposed Plan and associated documents.

MIR sites to retain B1, C1, H1, H2, H3, I1, B2

H3, B1, and C1

The Council will participate in the preparation of a developer prepared masterplan for the site. The developer masterplan will be prepared in consultation with the community in combination and will address: layout, siting and design (with provision of visualisations from key viewpoints), landscaping and structural planting framework (including expansion of beech hedge feature along road side, and areas of structural planting), determine the appropriate form of community/open space provision, establish basic infrastructure and phasing (including significant extension to water and waste water network), and provide transport information (which may show a requirement for a right hand turning lane).

H2

Reflect provisions of the planning permission

H3

Reflect provisions of the planning permission

B2

Requirement for compensatory parking if affecting existing provision, requirement/s if the development involves access to the water then it should be done in accordance with the

Scottish Marine Wildlife Watching Code and the Dolphin Space Programme as well as avoidance of any cumulative impact of boat traffic as assessed according to 'Dolphins and Development

Remaining MIR sites and suggested new sites are not retained/recommended for inclusion.

Issue	Conon Bridge	
MIR reference:	7.21	
List of persons and organisations who submitted comments (including reference number):		
Conon Brae Farms (01236), Conon Bridge Community Council (00274), Gairloch And Conon Estates (01065), Mr Alasdair Cameron (00919), Mr And Mrs G Nixon (01002), Scottish Environment Protection Agency (00523), Scottish Natural Heritage (00204), The Scottish Government (00957)		
Summary of comments received:		
<p>General Development in Conon Bridge should be required to prepare a Great Crested Newts Survey in support of their application. Support for rail halt but concern over level of parking provision. Concern over impact of development on school capacity. The impact of the development on the trunk road network needs to be better understood.</p> <p>Sites</p> <p><u>H1</u> Concern regarding proposed increase in density from 62 to 75 dwellings.</p> <p><u>H2</u> Does not consider that this site will be delivered in the near future due to current climate</p> <p><u>MU1</u> Concern over loss of playing field Potential risk of fluvial flooding Loss of car parking Alternative uses proposed for the rear of the site such as allotments or community garden.</p> <p><u>MU2</u> Potential impacts on the Conon Islands SAC and River Conon SSSI in terms of water quality, change in hydrology and introduction of invasive non-native plants. Mixed use allocation would benefit progression of the project. Concern over flood risk</p> <p><u>MU3</u> Mix of Uses and Design Wish to see mixed use development with retail units and leisure areas.</p> <p>Most logical and legible expansion of existing modern settlement pattern in the village.</p> <p>Transport</p>		

Wider traffic impact of development if roundabout does not happen until phase 3

Traffic calming measures must be effective.

Increased footpath for amenities associated with the existing consent

Road widening and traffic calming are already in place

Other Infrastructure

Development supports the new school and transport infrastructure

Flood Risk

Text should state that site should be developed in accordance with recommendations of previous FRA.

MU4

Access should be formed along the main road

Footpath should be extended along the front of the site.

Speed limit should be extended

Connection from site to new railway halt should be considered.

No Flood Risk Assessment required.

R1

Support retail/community use on this site but not housing.

SEPA will not object provided the following developer requirements included in Proposed Plan. Text to state that the applicant would need to confirm with Flood Prevention Authority that the site is protected by FPS.

Objects to retail allocation and requests wider mixed use allocation

ALTERNATIVE SITES AND USES

Please note that the names and reference numbers for comments submitted on this specific consultation are not listed in this document.

Through the consultation on the Main Issues Report further sites have been submitted to the Council for inclusion in the Local Development Plan. Consultation on these additional sites took place between April and July 2013. The following are the comments which were received during that time.

Site NS11 - Land to east of MIR site H1

SEPA do not object if text requiring a flood risk assessment is required to inform the developable areas of the site is included as a developer requirement.

The site would require to be screened as part of the HRA due to the relative proximity to the Conon Islands SAC.

Site NS12 – Land to west of A835

SEPA do not object if text requiring a flood risk assessment is required to inform the developable areas of the site is included as a developer requirement.

Site NS56 – Land comprising Drouthy Duck and surrounding land to the West

SEPA object unless an FRA is provided prior to inclusion in the Proposed Plan. If existing defences protect to an appropriate level then development may be acceptable but not greenfield development.

Wetlands may be present on the site and therefore a phase 1 habitat survey would be required.

Site owner considers the site is suitable for redevelopment and suggests that due to flood defences being completed the flood risk has been effectively removed. Redevelopment of the site could be undertaken sympathetically to avoid impact to the listed building

Council's summary of responses to comments:

General

Great Crested Newt Survey

It is considered that in the interests of protecting and enhancing the habitats of Great Crested Newts in this area that a survey should be provided as part of any planning application in Conon Bridge which contains or is close to a water body to determine the presence of Great Crested Newts on the site and any required mitigation.

Concern over parking provision at new railway station

Since publication of the Main Issues Report the Rail halt has been opened. Parking at the station to date has not been reported as an issue but it will be monitored on an ongoing basis.

School capacity

The capacity of Ben Wyvis Primary School is at 91% and is forecast to fall to 85% by 2026/27. While this is the case, due to this being a new school it is likely that placing requests to the school will increase. The school has been built in a manner which allows expansion over time, if required. Developer contributions will be sought toward this expansion in line with The Highland Council's Developer Contributions: Supplementary Guidance.

Sites

H1

Increased density

The impacts of the development have already been largely mitigated. It is however recognised that an increase in density will lead to further impact on the local road network. It is considered that these issues can be mitigated to ensure no net detriment to the local road network.

It is considered that a development such as this could be adequately dealt with through

the development management process where it would be judged against the policies of the Highland-wide Local Development Plan.

H2

While questions have been raised over the delivery of this site in the short term, the site does benefit from planning permission for 28 units. The role of the plan is to identify suitable land for development to ensure the housing need and demand can be met.

It is proposed that this site continues to be supported in line with the planning permission on the site and conditions attached to it.

MU1

Concern over loss of playing field

The proposed development would be required to ensure that the current level of playing field provision is retained on site. Following the Highland Council's Open Space in New Residential Developments: Supplementary Guidance, further open space would be required on site if residential development is brought forward. The landowner has indicated a preference that if development progressed a playing field would be retained on the site.

Potential risk of fluvial flooding

It is considered that Flood Risk is the major issue for this site. However, following advice from the Council's Flood Team it is understood that the railway embankment acts as a form of flood defence and the adequacy of this in combination with potential further mitigation would need to be identified through a flood risk assessment which would accompany any planning application on the site.

Loss of car parking

Concerns over the loss of car parking are accepted however it is envisaged that the parking provision currently available on site would be retained in a location in close proximity of the High Street, if this site was included in the proposed plan.

Alternative uses proposed for the rear of the site such as allotments or community garden.

Noted. These uses could be considered as part of a mix of uses on the site.

Considering the development potential of this village centre site and the potential issues related to the development of it, on balance it is considered that development on this site should continue to be supported with a mix of uses defined as housing and community uses. The site would require a flood risk assessment, and to enable the community to have input into the mix of community uses on the site a development brief/masterplan should be prepared requiring the retention of a playing field, play area and parking on the site.

MU2

Impact on Conon Islands SAC and River Conon SSSI

Ongoing work on the Habitats Regulations Appraisal of the plan has identified mitigation which would ensure development will not have an impact on the Conon Islands SAC and the River Conon SSSI

Benefit of Mixed Use allocation

The flexible approach to this site will provide further opportunities to redevelop this gateway site.

Flood Risk

SEPA have confirmed that the site is not at risk of flooding following works to the River Conon flood defence measures.

The site is a gateway to Conon Bridge and is prime for redevelopment. While in recent times the site has been brought back into use as a site compound, the longer term aspiration is for a high quality gateway development. It is accepted that this site is constrained by a number of factors due to its location and previous uses, however it is considered a suitable mix of uses can be brought forward to enable a viable redevelopment of this site in the medium to longer term.

MU3

Mix of Uses and Design

The current planning permission reflects the need for the development of retail uses on this site and recreation areas are also proposed.

Transport

Wider traffic impact of development if roundabout does not happen until phase 3

The traffic issues for the area which already has consent have been addressed through the planning permission for the development. The further development beyond that already consented would be required to adhere to similar conditions and a distributor road through the development would be required.

Other Infrastructure

The development is in close proximity to the new Ben Wyvis Primary School which has spare capacity although this situation will need to be monitored. A safe route to school would be required from any new development.

Flood Risk

The issue of flood risk has already been considered for the area which has planning consent. It is reasonable for this to be applied to the remainder of the allocation.

It is considered that due to the planning history of this site that the site should be split in two with the lower section of the site, which has planning permission, being identified for a mix of uses (housing and retail) and the upper section of the site being identified for housing.

MU4

Opportunities to access this site are considered to be acceptable and there is potential to provide footpath linkages to both the village centre and railway platform as mitigation. However, given the potential scale of development a Transport Assessment will be required in support of any future planning application.

It is considered that given the location of the site and the relatively constraint free nature of the site, this site could provide a significant opportunity to deliver a development which would deliver both housing and business uses.

R1

Flood Risk was previously a determining issue on a planning application on this site and as such it is still considered a key issue for the development of the site. While the River Conon flood defences protect areas downstream from this development, SEPA and the Council's Flood Team are unclear whether these cover as far up stream as this site. If development other than re-development of the existing buildings were proposed then a flood risk assessment would be required.

Potential of wider area is acknowledged but given size of the site, it is considered that this can be determined through the planning application process using the policies of the HwLDP.

Given the planning history on the site and the comments received from SEPA, it is acknowledged that there is development potential on the site however this would be largely constrained to the existing built areas of the site, where development could be brought forward so long as it is no more vulnerable to flooding than the current use. Given the local historic importance of the Drouthy Duck it is proposed that this continues to be safeguarded for its existing use, redevelopment of the site for its existing use would need to respect the historic importance of the site through sensitive design. The site boundary will be modified to include the parking area of the Drouthy Duck.

ALTERNATIVE SITES AND USES

Site NS11 - Land to east of MIR site H1

Given the location of the site and the potential local roads issues related with further development in this area, it is proposed that this site is not included in the plan and that it is not included within the settlement development area.

Site NS12 – Land to west of A835

Given the location of the site a flood risk assessment to identify the developable areas of the site would be a requirement if the site is included in the proposed plan.

However, given the location of the site it is not considered that the proposed business use would site comfortably with the existing residential uses which would be in close proximity. It is also considered that given the type of uses proposed that these should first be directed to established business areas to help support and consolidate these prior to development of a new site.

Site NS56 – Land comprising Drouthy Duck and surrounding land to the West

See comments above regarding site R1. In addition and in response to the points raised through the consultation on the new site, it is accepted that due to the wetlands on the wider site then a Phase 1 habitat survey would be required.

The issue of redevelopment of a wider area again brings into play the issue of flood risk on this site. The level of flooding on this site would require to be demonstrated through a flood risk assessment to identify the developable areas and any necessary mitigation implemented.

It is proposed that the wider site is not shown as an allocation in the Proposed Plan but

the site would remain as “white land” therefore, any application on the site would be treated on it’s merits and judged against the policies of the Highland-wide Local Development Plan. This approach does not prejudice development on the site but may allow development to be brought forward if all of the site constraints can be overcome.

Recommended Proposed Plan Content:

- In summary, the following MIR sites are retained:
MU1, MU2, MU4, H2.
- The following sites are retained but with modified use/boundary
MU3, R1
- Remaining MIR sites and suggested new sites are not retained / recommended for inclusion

A cross-settlement developer requirement will be added related to great crested newt surveys.

Issue	CONTIN
MIR reference:	MIR 7.22
List of persons and organisations who submitted comments (including reference number):	
Miss Liz Rollinson (00682), Mr & Mrs Robbie & Gillian Kerr (00689), Mr And Mrs W Finlayson (00704), Mr Charlie And Sonia Ramsay (00894), Mr George Baxter Smith (00654), Mr Gordon Munro (01267), Mr Robbie Munro (01228), Mr Rodderick Munro (01300), Mr SJ Fraser (00611), Ms Nicola Munro (01160), Roderick And Livette Munro (01161), Scottish Environment Protection Agency (00523), Scottish Natural Heritage (00204), Sheena Clark (00240), Simon Bates (00376)	
Summary of comments received:	
GENERAL ISSUES RAISED	
<i>Species Surveys</i>	
Request for settlement wide requirement for species surveys including reptile surveys and great crested newts for any site containing a water body.	
<i>Scale and Phasing of Development</i>	
Level of housing allocations in Contin should be reduced as there is low demand and it is outwith main employment centres.	
<i>Exclusion of Sites shown in Ross and Cromarty East Local Plan</i>	
Concern that Contin Mains Steading and field south of H1 are no longer allocated for housing.	
SITES	
<u>H1 - Preferred in MIR</u>	
There were a number of objections to the inclusion of H1 for the following reasons:	
<ul style="list-style-type: none"> • Lack of demand • Loss of prime agricultural land • Impact on nearby historic environment features • Access issues • Other housing sites are progressing to satisfy demand • Existing drainage issues • Adverse visual impact • Current land dispute between neighbours • Limited sewage capacity 	
A single representation supported the inclusion of this site.	

H2 – Preferred in MIR

One representation supported the inclusion of this site.

SEPA noted that a flood risk assessment was undertaken to support a planning application on this site. They require that no new development or land raising should be permitted below 22m AOD and that a flood risk assessment would be required for any development proposed below 22m AOD.

H3 – Preferred

One representation supported the inclusion of this site.

SEPA noted that no flood risk is assessment required.

H4 – Non-Preferred in MIR

The landowner is now promoting this site commercial (including agricultural education activity centre) and residential use including affordable housing. The landowner considers the site should be supported as it would create employment and increase the tourist offer in the area. The landowner noted that they were willing to adjust the site boundary to exclude the flood risk area.

A number of representations did not support the inclusion of this site, reasons for this are the following:

- Other sites supported by the Council relate better to the settlement
- Other sites supported by the Council satisfy demand
- Insufficient infrastructure capacity
- Alternative land uses now being promoted may have value for the residents of Contin but unlikely to be supported by Jamestown residents
- Concerned about location within the village

H5 – Non-Preferred in MIR

One representation supported the inclusion of this site.

SNH consider that if the site were supported its development has potential to have adverse effects on Conon Islands Special Area of Conservation and the Lower River Conon Site of Special Scientific Interest.

SEPA would require a flood risk assessment to be undertaken before the site could be included in the development plan. They also noted that the Black Water River adjacent to the site is heavily modified and at poor potential.

I1 – Preferred in MIR

SEPA and the Council's Flood Team would require a satisfactory flood risk assessment prior to identification of the site in the plan.

ALTERNATIVE SITES AND USES CONSULTATION

Please note that the names and reference numbers for comments submitted on this specific consultation are not listed in this document.

Request for settlement development area to be expanded to include land associated with 'Torridon' at the north end of the settlement. SNH note that inclusion of this area would affect Ancient Woodland of semi-natural origin.

Council's summary of responses to comments:

GENERAL ISSUES RAISED

Species Surveys

A requirement for species surveys, including reptiles and great crested newts, will be included in the settlement text for Contin.

Scale and Phasing of Development

Contin lies outwith the two corridors identified for significant growth in the IMFLDP; the allocations in Contin reflect this and propose to allocate a significantly lower amount of development in the settlement in comparison to settlement within the growth corridors. Whilst the allocations do provide a 'generous' housing land supply in the part of the Ross and Cromarty West Housing Market Area that falls within the area covered by the IMF LDP it is considered the modest level of housing allocations in Contin strike a balance between providing market flexibility and choice and protecting areas unsuitable for development.

Exclusion of Sites shown in Ross and Cromarty East Local Plan

Contin Mains Steading

Contin Mains Steading is allocated in the Ross and Cromarty East Local Plan for housing with a capacity of 4 units. The requirements state that development must allow for the creation of access from the A835 onto land at Smithy Croft. The reason this site was not shown as preferred or non-preferred in the MIR is that the site is a brownfield site within the settlement development area. This plan focuses on areas of major change and is generally moving away from the allocation of very small sites. The site contains historic steading buildings that appear to be in a poor state of repair. Whilst the buildings are not listed as being of special historic or architectural quality the farmstead is contained in the Council's Historic Environment Record. The HwLDP supports the principle of development on brownfield sites and within settlement development areas. Therefore the principle of development on the site, for the restoration and conservation of the steading buildings or demolition and redevelopment can be supported without the need for a specific allocation.

However the site, along with site reference 8 which is allocated for business use in the Ross and Cromarty East Local Plan, must allow for creation of an access road from the A835 onto land at Smithy Croft. The only potential access to the larger Smithy Croft Site (site reference H1 in the MIR) is from the existing access to the steading site from the

A835. Therefore to ensure that any future development of the steading site and the site directly north identified as site reference 8 in the Ross and Cromarty East Local Plan does not prejudice future development of site H1 it is considered appropriate to expand the H1 to include these two sites. It is also considered appropriate to change this allocation to mixed use, specifically housing, retail and business/tourism use to safeguard the land adjacent to the filling station for business/tourism or retail use given its prime location within the village.

Exclusion of field south of H1

Land to the south of H1 is allocated in the Ross and Cromarty East Local Plan for amenity use. However the text associated with site reference 1 (site reference H1 in the IMF LDP MIR) states that there may be potential to achieve further long term expansion southwards subject to the inclusion of an access on to the A834 via Contin Mains Farm. The site was allocated as preferred open space in the IMFLDP MIR. Unlike previous development plans produced by the Council this plan will not identify or safeguard long term development sites as amenity or open space allocations. Rather sites allocated as protected open space are areas of high quality, accessible and fit for purposes open spaces. Land to the south of H1 comprises an agricultural field and therefore it is not considered appropriate to continue to allocate the site as protected open space. However, given the site has longer term expansion potential it is recommended the entire field is allocated for development. Furthermore site boundaries should reflect natural or manmade features such as field boundaries, tree belts or other landscape features. If the site replicated site H1 in the MIR the boundary would effectively split an open field in half, the result would be a contrived boundary without any certainty to the landowner that the remainder of the field may be allocated for development in the future. Furthermore the allocation of the entire field will allow for the housing land requirement to be met in the part of the Wester Ross Housing Market Area that lies within the Inner Moray Firth Plan area.

It is noted that the Preas Mairi, chambered cairn Scheduled Monument lies within close proximity to this larger allocation. The plan text will make reference to the requirement for any impact on this Scheduled Monument to be considered.

H1 - Preferred in MIR

A number of concerns were raised with regards to the potential allocation of site H1; response these issues are provided below.

In terms of demand it is accepted that Contin is small settlement outwith the main employment centres in the Inner Moray Firth area. However sufficient land must still be allocated to meet the Housing Land Requirement in the part of the plan area that lies within the Wester Ross Housing Market Area, this must be allocated in the settlements of Contin and Strathpeffer. The number of units allocated in Contin the housing land requirement and the expected contribution from windfall development.

The only other sizable site allocated in Contin with capacity for a number of houses is the site shown as H3 at Woodlands Park. A number of units on this site have either been built out or have planning permission. There are therefore not sufficient existing housing existing sites in Contin to meet the demand throughout the plan period.

The entire site is comprised of prime quality agricultural land. Scottish Planning Policy requires that development on prime quality agricultural land should not be permitted unless it is an essential component of the settlement strategy or is necessary to meet an established need. The allocation of this site in Contin is considered an essential component of the settlement strategy whereby the plan supports the allocation of housing to provide for housing need throughout the plan area. The site is considered the most appropriate site in the context of Contin given its location close to the settlement's services and facilities. There are no sites within or close to the settlement that could provide a more suitable alternative due to the presence of an important stand of ancient woodland, the trunk road and areas of flood risk.

The Preas Mairi, chambered cairn scheduled monument is situated to the south east of the site within mature woodland. Scottish Planning Policy and the HwLDP presumes against development that would have an adverse impact on a scheduled monument or the integrity of its setting. Given the presence of the mature woodland the Preas Mairi is not visible from the site and therefore its allocation is unlikely to have an effect on it or its setting. Furthermore, in their response to the MIR Historic Scotland did not raise any issues regarding this allocation.

The amenity of the woodland walk within woodland that partially forms the eastern boundary of the site is unlikely to be significantly adversely affected by the development given the presence of mature trees and the relatively small part of the path that lies adjacent to the site.

With regards to any impact on Contin Mains Farmstead and Contin Mains Steading, neither are buildings listed as being of special architectural or historic merit. Whilst Contin Mains Farmstead is contained in the Council's Historic Environment Record and the impact upon the integrity of the site and setting is a consideration, it is not considered that the development of the site will affect the integrity of the farmstead. However given that there are a number of features of archaeological interest in the area, archaeological investigations may be required prior to any development taking place.

The site will be accessed from the A835 via land close to Contin Mains Steading. Transport Scotland have not raised any issues with regards to the impact of increased usage of this junction on the trunk road network.

There will undoubtedly be some visual impact by the development of the site, particularly from houses which overlook the site to the north. However development of the site is unlikely to significantly affect attractive long distance views in the area. The site is relatively well contained by the presence of mature trees and existing built development. It forms a logical site for the consolidation of the settlement without any significant visual impact. The Council intends to adopt as supplementary guidance a future developer led masterplan or produce its own development brief for the site, this will address a number of matters including landscape and visual impact.

Any land dispute between neighbours is a civil issue and carries no weight as a material consideration in the planning process.

Surface water from all new development must be treated by a sustainable drainage

system before it is discharged into the water environment. This is a prerequisite of all new development any proposals must have a neutral or better affect on any existing drainage issues.

Scottish Water have confirmed that as only a modest increase to the settlement is supported in the MIR there are no significant issues relating to waste water. Nevertheless there is very limited capacity at the 'playing fields' waste water treatment works. However Scottish Water have stated that after early engagement with developers and the Council, sufficient capacity will be delivered via investment prior to this point. Furthermore there may be potential for the Conon Bridge waste water treatment works to be utilised which general has capacity available but consideration will be required for growth funding.

Please note for the reasons stated in the previous section entitled '*Exclusion of field south of H1*' this site has been extended to include the field to the south of H1 and extended to include Contin Mains Steading and a vacant close to the filling station and changed to a mixed use allocation including housing, retail, business and tourism.

H2 – Preferred in MIR

Planning permission in principle was granted in 2009 for the erection of four houses on site H2. This planning permission was not implemented and has since lapsed. Whilst the site is identified as being at risk from flooding on the SEPA Indicative Coastal and River Flood Map a flood risk assessment was undertaken to support the planning application to the satisfaction of SEPA. It is therefore agreed that as the principle of development has been established in the site it should remain as an allocation in the plan with including the requirement that no development or land raising will be allowed below 22m AOD.

Following the MIR consultation event in Contin and further investigation of the planning history of the immediate area it became evident that the community have aspirations to create a new 'core' of the village in this area. Planning permission has been granted in the past for a new community hall and affordable housing at the former primary school and adjacent playing fields. Site H2 has therefore been extended to include this area and allocation changed to mixed use. Acceptable uses are the following: housing, business, tourism, retail and community.

H3 – Preferred in MIR

It is noted that SEPA have confirmed no flood risk assessment is required for this site.

H4 – Non-preferred in MIR

There was some support for the non-preference of this site in the MIR. Reasons sited for this were the preferred sites relate better to the settlement and satisfy demand and that there is insufficient infrastructure capacity. With the exception of the last reason these were key reasons why the site is non-preferred, in addition to other sites fulfilling the housing land requirement in the part of the Ross and Cromarty West Housing Market Area that lies within the Inner Moray Firth plan area.

The landowner's response to the MIR explains that she now wishes to promote the site for commercial and residential use rather than solely housing. Reference is made to the

development of an agricultural education centre on the site which would provide employment and increase the tourist offer in Contin.

The landowner acknowledges that a small part of the site is at risk from flooding and is willing to amend the site boundary to exclude this area.

The site is continued to be considered unsuitable for housing on the basis that it is not required to satisfy the housing land requirement in the part of the Ross and Cromarty West Housing Market Area that lies within the Inner Moray Firth plan area. It is inconsistent with the Vision and Spatial Strategy for the plan area. Other, alternative sites are more suitable on the basis that they are located closer to the village centres services and facilities and would have lesser landscape impact. Therefore the principle of housing is not supported on the site.

In terms of tourism use on the site, Policy 43: Tourism of the HwLDP presumes in favour of tourism development subject to a number of criteria including scale and economic contribution to the area. Given that the proposals are not envisaged to be of strategic importance it is not considered to merit the inclusion of a specific allocation in the plan; rather should a planning application be received in the future it would be determined on its merits.

In terms of food risk a very small part of the south west boundary of the site is identified at being at risk from flood on the SEPA Coastal and River Flood Map. Given the very small size of this flood risk area, in their response to the MIR, SEPA have not identified any issues relating to this site.

H5 – Non-preferred in MIR

It is noted that this site has the potential for significant adverse effects on Conon Islands Special Area of Conservation and the Lower River Conon Site of Special Scientific Interest. Much of the site is also identified as being at risk from flooding on the SEPA Coastal and River Flood map. It is also noted that the Black Water adjacent to the site is heavily modified and this requires restoration that would be focussed on hydrology. For these reasons, along with the housing land requirement being satisfied on other, more appropriate sites, the site will not be allocated in the plan.

I1 – Preferred in MIR

This site lies adjacent to the Scottish Hydro Electric Depot and was intended to be carried forward from the Ross and Cromarty East Local Plan and allocated for business and industrial use. The intention of this was to provide some land with employment potential within Contin to support its sustainable expansion. However the entire site is identified as being at risk from flooding on the SEPA Coastal and River Flooding Map. SEPA and the Council's Flood Team have requested a satisfactory flood risk assessment be undertaken prior to the identification of the site in the plan. In the absence of a flood risk assessment it is therefore accepted that the site can no longer be included in the plan and it will be deleted. There is potential for employment opportunities to be created within the two mixed use sites in Contin. The site will however remain within the settlement development area.

ALTERNATIVE SITES AND USES CONSULTATION

Please note that the names and reference numbers for comments submitted on this specific consultation are not listed in this document.

Expansion of Settlement Development Area to include land associated with 'Torridon'

A residential dwelling called 'Torridon' lies at the north end of Contin. The landowner wishes the settlement development area shown in the MIR to be expanded to the north to replicate the settlement boundary shown in the Ross and Cromarty East Local Plan. The reason the settlement development area has been contracted in the MIR is that an approach was taken in this plan to contract settlement development areas close to the boundary of built up areas of settlements and/or areas identified for consolidation/expansion in the plan. Land outwith settlement development areas normally falls to be considered under HwLDP development in the countryside policies.

The reasoning for the landowner wishing to expand the settlement development area is to establish the principle of housing development on this land. The requested expansion area comprises deciduous woodland that is contained in the inventory of Ancient Woodland and is partly protected by a Tree Preservation Order. Planning applications have been received in the past for land associated with the residential dwelling 'Torridon'. A planning application (ref: 01/00800/FULRC) for three house plots was refused in 2001 and a planning appeal for this application was subsequently dismissed in 2003. A further planning application (ref: 03/00983/FULRC) for four house sites was submitted 2003 and subsequently refused. The reasons for refusal of latter application were, in summary, the impact upon the woodland present on the application site, the undesirable precedent approval of the application may set and that the application was premature as the Ross and Cromarty East Local Plan was at deposit draft stage. Whilst the site was subsequently included within the Ross and Cromarty East Local Plan settlement development area for Contin, it was allocated for amenity use. Policy presumes against development in such areas.

Scottish Planning Policy recognises that ancient woodland is an important and irreplaceable national resource that should be protected and enhanced. Tree Preservation Orders are served to safeguard areas of trees and woodland from development without consent of the planning authority. Therefore, on this basis, it is not considered appropriate for the settlement development area to be expanded at this location.

Recommended Proposed Plan Content:

- The Proposed Plan text and mapping is available within the Committee papers
- In summary, the following MIR sites are retained:

H3

- The following MIR sites are retained but the size and/or use of the site has been modified:

H1, H2

- Remaining MIR sites are not retained / recommended for inclusion
- No new sites are recommended for retention within the Proposed Plan

Issue	Cromarty	
MIR reference:	MIR (insert para. or section number)	
List of persons and organisations who submitted comments (including reference number):		
<p>Albyn Housing Society Ltd (00419), Congregational Board Of The Church Of Scotland Parish Cromar (01069), Cromarty Allotments And Gardens Society (00667), Jacquie And John Ross (01167), Mr And Mrs Gordon Penwright (01216), Mr Evan Macbean (01059), Mr Evan McBean (01204), Mr Fraser Stewart (00407), Mr Garve Scott-Lodge (00666), Mr Jonathan Kerfoot (01052), Mr Kenneth W. Dupar (00701), Mr Kevin Sinclair (00684), Mr Peter Tilbrook (01091), Mrs Francis Tilbrook (01092), Ms Jenny Henderson (01201), The Scottish Government (00957), Vicky And Jeff Benjamin (00990)</p>		
Summary of comments received:		
<p><u>General</u> Cromarty Mains – A respondent is concerned about the planning restrictions on Cromarty Mains site (all to same specifications) considering this to lower demand and price of plots.</p> <p>Level of housing land supported - A respondent is concerned that there is no guarantee that houses would go to locals. There is some general concern expressed about whether we have enough housing land identified in Cromarty particularly in the context of Nigg reopening, however on the flip side there are other respondents who express concern that we should not over supply housing land.</p> <p><u>MU1 Sandilands - Preferred in MIR, C2 - Non Preferred in MIR</u> Albyn seek the allocation of this site for housing and will submit an application in future for housing and potentially community use if viability permits. There are also a few other respondents who comment in support for affordable housing provision here.</p> <p><u>Community sites</u> The Cromarty Allotment and Gardens Society (CAGS) wish to provide more land for gardening as they are unable to gain access to the additional land they need.</p> <p>However a respondent is concerned that allotments could be used as a sweetener for inappropriate housing sites.</p> <p><u>H1- H4 Non preferred in MIR</u> There is quite divided opinion on these sites with some objection to the Council's non preference of these sites because of need for housing particularly affordable in the town, with concern that MU1 may not come forward. These sites are considered to be close to main access, and a walkable distance to services. In terms of mitigating the impact it is considered that planting would soften visual impact, and that a nearby layby could be used for bus stop. H4 is considered by some to be the best site in terms of visual impact. In</p>		

terms of the direction of growth the Congregational Board Of The Church Of Scotland Parish Cromarty considers that houses to the west of the settlement boundary rather than in Cromarty inner green spaces will help to sustain tourism.

The development interest states that there is water and drainage infrastructure nearby; it is well suited to provision of affordable, self-build plots; and Scottish Water confirm connection to public sewer is possible.

On the flip side there is also support for Council's non preference of these sites due to narrow footpath provision on Denny road and need to cross this road, there is also concern about taking development beyond the escarpment, impact on tourism, concern about the scale of development and the setting of Cromarty and Cromarty House, and on nearby listed and important buildings, and there are infrastructure concerns.

On H1, 2 and 3 Historic Scotland welcome the Council's non preference of these sites as they consider they would be likely to have a significant impact on the Cromarty House Inventory Designed Landscape.

H5 Daffodils Field - Non Preferred in MIR

CAGS consider this to be most suitable allotment area if C2 is not available, and there is support from a few respondents for the Council's non preference of this site due to traffic impact on pedestrian safety, and general concerns about capacity of the infrastructure and impact on the character of the town.

H6 South of Miller Road - Non Preferred in MIR

Concern is expressed from one respondent about this potential allocation referring to its historical significance as an orchard. (CAGS) are not against H6 being allocated for housing especially if this allows for the allocation of C8 for allotments. Another respondent questions the Council's non preferred status for this site but also questions the need for the site, and considers that if it is to be developed then design should be high quality and low density.

Historic Scotland supports its non preference as it would be likely to have a significant impact on the Cromarty House Inventory Designed Landscape.

H7 West of Cromarty Mains Farm - Non Preferred in MIR

Developer interest withdrew this site accepting that it is unsuitable for housing development. There is also several other respondents who support the Council's non preference of this site.

Alternative Sites and Uses consultation on C6 (Preferred) and C7 (Non Preferred) for housing use rather than Community Use (allotments) as shown in the MIR

The Development interest is willing to include the C6 site for housing and considers that further planting (there are already some trees) could help soften the impact on Urquhart Court. The development interest considers that there is a housing land requirement beyond what can be provided on the MU1 site, and this land could provide scope for individual plots for which there is demand (as evidenced by survey work to support the Sandilands development brief). It is also suggested that this site may provide an option for the Council to purchase some sites for affordable housing if desired.

A respondent considers that the land immediately adjacent to the North/East of this site referred to as Site H4 in the MIR is a more obvious and natural choice for an extension to the existing settlement boundary. At present site C7 is isolated, and it is considered that C7 only makes sense for inclusion if the land at H4 is included in any settlement extension.

A couple of respondents are against the development of housing in this location citing: loss of prime agricultural land, landscape impact, and access/remoteness from town services as issues. One respondent considers that there the need to focus on the town itself and realise opportunities available within it (considering that some have been dismissed too readily).

Council's summary of responses to comments:

General

Cromarty Mains - Regarding the planning restrictions that were imposed through the planning permission for the Cromarty Mains development these are necessary to ensure that the development progresses in accordance with the design approved, is sensitive to its surroundings, retains an overall homogenous character, and respects the visual amenity of the area.

Level of housing land supported - It is acknowledged that there is a need to meet the local need for housing however the planning system cannot determine planning applications on the basis of whether the proposed development will meet local need but instead tries to ensure there are sufficient opportunities offered in our Local Development Plans to allow for both local needs and outside demand to be catered for. Whilst the MU1 site is the only site in Cromarty preferred for substantial development it is considered that this represents a sufficient housing land supply for Cromarty because it is an effective site with a proactive landowner. Alongside this there will be some limited opportunities for small scale developments that can be secured on sites within the Settlement Development Area.

MU1 Sandilands – Preferred in MIR, C2 – Non Preferred in MIR

Albyn Housing Association has the development interest for this site and they have asked for this site to be allocated for housing and will submit a planning application in future for housing and potentially community use if viability permits.

The Sandilands Development Brief refers to and identifies land for a health centre but with capacity subsequently having been increased at the existing health centre this is no longer required. The Sandilands Development Brief also refers to a need to establish the requirement for public parking. The viability of development and the need for public parking has not yet been established so it is considered that it should remain a mixed use site and we can accept intensification of housing use if the developer can demonstrate that the viability of the site depends on this, or if they can demonstrate that other uses are not in demand after marketing. It would however be preferable if this site could accommodate an element of mixed use and so this should be required if viability/demand permits an element of either business/retail/office/built community uses alongside housing. This is important since there is limited land available for development close to the centre of the town.

With the Townlands Park site available for allotments and with other opportunities that can be explored elsewhere in the town (such as the Daffodils field) it is not considered

advisable to retain part of MU1 for allotments. Given its location within the town, and the limited development sites available, it is advisable for this site to be restricted to built development uses. This site is therefore recommended for inclusion in the Plan as a mixed use site.

Housing sites

H1- H4 all Non Preferred in MIR, and Alternative Sites and Uses Consultation on preferred change of use of C6 to housing, and non preferred change of use of C7 to housing

Details of those submitting comment to the Alternative Sites and Uses consultation are not listed in this document. It is noted that there is not a lot of choice and flexibility in the housing land supply with only the Sandilands site MU1 as a major development site however given the level of confidence in MU1's effectiveness (with the mix of uses being the issue) MU1 is considered sufficient. It is also recognised that the development interest in MU1 Albyn Housing Association is highly motivated to deliver development and address affordable housing needs.

After considering the consultation comments made on them and the pros and cons of the H1-H4 sites it is suggested that the H4/C6 site above the escarpment adjacent to the manse is the most suitable of the remaining sites. This is because of the historic environment impacts of the other sites (recognising that Historic Scotland have submitted comments on H1-3 considering that these sites would be likely to have a significant impact on the Cromarty House Inventory Designed Landscape). It is also in spite of the accessibility/distance from town facilities issues that are raised by the H4/C6 site, recognising that these can only be partially addressed through mitigation and extending the footpath provision on Denny Road. However it is considered that there is no housing land requirement in Cromarty during this Local Development Plan period. If only H4 is identified on its own it is judged unlikely to be viable therefore it is suggested that the H4/C6 sites would need to be combined as a larger housing site that does not rely on a lengthy access before the housing development commences. Whilst neither of H4/C6 are supported through this Local Development Plan it is considered that this will be reconsidered in future Local Development Plan reviews. Therefore it is recommended that C6 should not be allocated for allotments in the Plan with C1 available and H5 suitable for this purpose. In light of the above it is recommended that H1-4 should not be allocated in the Plan.

H5 Daffodils Field - Non Preferred in MIR

There have been no supporting comments for housing here. It is considered that this site should be identified for allotments, however it is acknowledged that there is no indication of its availability for this purpose. It is recommended that the H5 allocation should be identified for allotments in the Plan.

H6 South of Miller Road - Non Preferred in MIR

The northern portion of The Garden House site has a live planning application on it for housing and is allocated for this purpose in the Ross and Cromarty East Local Plan. There is concern about the loss of this historic orchard, also Historic Scotland have submitted comments considering that this site would be likely to have a significant impact on the Cromarty House Inventory Designed Landscape. There are also some supporting comments for the allocation of this site for housing however due to the built heritage constraints with the site containing the last remaining section of the walled garden, and due to visibility concerns over the access it is considered that it should remain non

preferred by the Council. If there is some limited potential for development on this site then it is not an amount of houses that suggests that it should be allocated and therefore it is recommended that this site should not be allocated for housing in the Plan but will remain within the Settlement Development Area.

H7 West of Cromarty Mains Farm -Non Preferred in MIR

The development interest here has withdrawn this site from consideration recognising that it is not a suitable site for housing. Therefore it is recommended that this site should not be included in the Plan.

C1-8 (C1 Preferred in MIR, C2-8 Non Preferred in MIR)

The Townlands Park site is a suitable and available site for allotments (C1) and other opportunities can be explored elsewhere in the town (such as the Daffodils field H5) it is therefore not considered appropriate to retain part of MU1 (C2) for allotments given the scarcity of development sites close to the town centre.

C3 should remain non preferred for allotments as it would impact on the open space in use by the school.

Historic Scotland have submitted comments considering that sites C4 and C5 would be likely to have a significant impact on the Cromarty House Inventory Designed Landscape and therefore it is considered that these should not be supported.

The proposed community sites C6 and C7 lying west of the Manse are on prime agricultural land so offer good soils for allotments. There is however also some support for this to be identified for housing in the longer term. It is considered that the viability of H4 is compromised by C6 due to the length of the access this would require and therefore this site may be better considered in the future for meeting housing needs.

H5 the Daffodils Field is considered suitable for allotments. The Cromarty Allotments and Gardens Society preference is for C8 site however it is acknowledged that availability of this sites for this purpose is unclear. Certainly the northern portion of The Garden House site has a live planning application on it for housing and is allocated for this purpose in the Ross and Cromarty East Local Plan. It is therefore considered that H5 should be identified for allotments in the Plan and the Cromarty Allotments and Gardens Society can approach the landowner to negotiate.

In light of the above it is recommended that H5 and C1 are allocated for allotments.

Recommended Proposed Plan Content:

The following consideration of sites sets out some of specific developer requirements however this is not a complete list of the developer requirements, a full list will be developed and presented in the Proposed Plan and associated documents.

Retain C1 for allotments.

Retain Sandilands MU1 but change uses to housing, public parking, business, office, community use (if built development use), retail. State that mixed uses will be sought in the first instance. Refer to the guidance in the Sandilands Development Brief however state that this site can be developed with some intensification of housing (than that

indicated in the Sandilands Development/Design brief) if the developments viability depends on this, and if they can demonstrate that public parking is not required.

Identify new community allocations for allotments at the H5 Daffodil fields adjacent to Miller Road.

Remaining MIR sites and suggested new sites are not retained/recommended for inclusion.

Issue	Culbokie	
MIR reference:	MIR (insert para. or section number)	
List of persons and organisations who submitted comments (including reference number):		
D&R Farrar (00614), Ferintosh Community Council (00910), Miss Anthea Whitehead (00679), Mr And Mrs Mowat (00613), Mr Angus Bethune (01187), Mr Peter Batten And Denise Lloyd (00878), Ms Amanda MacRitchie (00388), Ms G Stevenson-Vallant (01273), Ms Joyce Hendry (00235), Nicam Developments Ltd (00882), Penny Edwards (00446), Roger Piercy (00597), Scottish Environment Protection Agency (00523), Scottish Natural Heritage (00204), The Scottish Government (00957), William Gray Construction Ltd (01071)		
Summary of comments received:		
<u>General</u>		
Scale of housing supported - A respondent is concerned about the scale of housing proposed.		
School croft - The landowner objects to open space indicated at school croft as they would like to develop this site for a single house.		
Solus Or - The landowner objects to the Council not identifying their land (around Solus Or) for housing, it was identified in RACE for housing, is within the boundary of the village, and is bordered by H5 and commercial and private building sites.		
Village heart - The Culbokie Community Development group consider that there has been both a shop and post office in recent history and that a key priority should be to establish a 'village heart' in a central location with a cluster of facilities where the community can meet informally. This is an important requirement due to the recent and future housing completions. The Culbokie Community Development group considers that the site options in the MIR do not achieve this and several specific options are needed. The Culbokie Community Development group carried out a resident survey in 2011/2012 to identify priorities for the village. It found that residents believe that the village has outgrown many of its facilities and now requires a health centre, larger shop/other retail units, a café, business space for local employment and identified the need for new and improved active travel paths. It is also suggested that there is a need to provide opportunities for community, retail, business and office uses to meet any demand for this type of development.		
Path and cycle network - The Culbokie Community Development group also consider that path and cycle network would provide opportunities for recreation and allow bicycles to avoid the main road. Path network could include the new link from Schoolcroft to Findon Hall, the link from Findon to site B1 and the link from Woodholm to Culbokie wood.		
Species survey requirement - SNH seek inclusion of a settlement wide species survey requirement.		

Landscape setting - Ferintosh Community Council support stated need to preserve landscape setting of village including views over Cromarty Firth.

Housing sites

H1 Carn Mor – Preferred in MIR

The Community Council support this site but consider that there should be some planting to soften the approach to the village and the development interest supports its allocation for housing.

H2 + C1 South of Village Store – Preferred in MIR

The development interest of the north portion of H2 is concerned that the new extent of this site which includes additional land to the south west beyond their ownership means they would need to provide access to this land. William Gray support the sites considering that they will consolidate the settlement whilst providing opportunity for additional facilities.

The C1 allocation is also supported by the Culbokie Development Group. The Ferintosh Community Council support C1 but as a mixed use site to give flexibility. Historic Scotland do not have significant concerns with this allocation but seek a developer requirement to acknowledge the setting of the scheduled monument Carn Mor Dun.

H3 North of Carn Mor Dun – Preferred in MIR

The landowner of the remaining undeveloped land at site option H3 welcomes and supports the inclusion of this site in the IMFLDP and confirms its availability.

The landowner outlines their consideration of the main development issues and attributes of the site and acknowledges that development will have need to be set back the appropriate distance from the woodland.

SEPA will not object subject to the Council supporting their requirement for flood risk assessment. The Culbokie Community Development group and the Ferintosh Community Council both support this allocation for housing.

H4 North of Schoolcroft – Preferred in MIR

The Culbokie Development Group suggest that the residual part of H4 and B1 be reallocated as Mixed Use (Community/Business) as it may present an opportunity for a village centre. Whilst the Ferintosh Community Council consider the whole site should be made Mixed Use to give flexibility for proposals that come forward (but it is assumed that they include housing within the Mixed Uses). The joint landowner of land east of the croft is not against this land being identified for community and/or mixed use in principle but is concerned about committing fully to what is a speculative use at this stage.

H5 North of Solus Or – Preferred in MIR

There is broad support for this site, but also a request from the Culbokie Development Group for significant screening of this site. The landowner of the southern portion of this site suggests that it could be accessed through H8 considering that the northern part of H5 site is currently constrained by ownership (with the landowner thought to be in receivership).

H6 South of Mount Eagle Court – Preferred in MIR

There are several objections to this sites development due to concern about loss of

woodland, whilst a development interest supports the site considering that it will help address key development issues facing Culbokie. This includes a SNH comment which prefers non retention of the site or mitigation in terms of maximum retention, high standard compensatory planting, and pre determination surveys.

H7 South of Carn Mor - Non Preferred in MIR

There is support for the non preferred status of this site, and no objections made.

H8 South of Findon Mill - Non Preferred in MIR

The development interest seeks allocation of H8 partly to provide alternative access to remaining area of H5 as landowner of northern part is reliant on southern part and this landowner is in receivership. The landowner supports because it is considered to have: no infrastructure issues, access via H5 or new access, offer a natural conclusion to settlement, proximity to facilities (active travel), alternative means to opening site H5, compatible with neighbouring housing, close to public transport, lesser landscape impact than other sites, available for development, provides opportunity for SAM interpretation, and is unlikely to affect views of Cromarty Firth. The landowner advises that: reconfiguration of site edge may be required for visibility, where necessary habitats will be reinstated, it provides for low/medium density rural character development, will provide structure planting and attractive gateway, and that flood risk is contained by landform.

Several respondents have however supported the non preference (including the Culbokie Development Group and the Ferintosh Community Council) and because of impact on Scheduled Ancient Monument (including Historic Scotland welcoming non preference). Concerns raised include: Historic Environment Record sites, landscape impact, habitat, surface water concern, that connection to pathway Findons Wood potentially uses a respondents garden ground, and that more central sites should be preferred.

H9 West of Rose Cottage - Non Preferred in MIR

There is some support and no objections to the non preferred status of this site.

B1 East of Old Primary School – Preferred in MIR

The Culbokie Development Group and the Ferintosh Community Council suggest that this site should be allocated for mixed use, and the Culbokie Development group consider it to be unsuitable for housing development. Whilst a development interest supports the preference of this site.

MU1 South of Tir Alluin

The Culbokie Development Group support this site but are aware that the landowner may not release the land in the foreseeable. There are a couple of objections to the site as well with concern about loss of farmland. A couple of respondents object to its inclusion, preferring these uses to be provided on C1.

Summary of responses (including reasons) by planning authority:

General

Scale of housing supported – this is determined for Avoch based on the housing land requirement identified in the Highland-wide Local Development Plan (HwLDP). You can refer to the schedule 4 on the Vision and Spatial Strategy for more information on this aspect. This has resulted in land being identified for 137 new homes for the Plan period 2011-2031. Public transport improvements will be sought alongside development as part

of wider Black Isle transportation improvements, whilst the phasing of development will ensure that the pace of development is appropriate.

School croft - The landowner objects to open space indicated at school croft as they would like to develop for single house. The site is located to the rear of residential properties with no natural surveillance, so respondent feels it is not suitable for recreational open space. The site appears to have limited amenity value as open space. However it is backland development with no road frontage which is generally resisted, and therefore it is recommended that this land should not be included within the Settlement Development Area.

Solus Or - The landowner objects to the Council about not identifying their land (around Solus Or) for housing, however the reason that this site is not shown is because of its size rather than its suitability, as only larger developments of around 10 or more houses should have an allocation in the Plan. If we leave this within the Settlement Development Area then the presumption is in favour of development subject to the provisions of the General Policies of the Highland wide Local Development Plan. It is therefore recommended that this land should not be included as an allocation but should be included within the Settlement Development Area in the Plan.

Village heart - It is agreed that there is a need to provide opportunities for community, retail, business and office uses to meet any demand for this type of development, please consider the Plan content and the responses below to H4 and H2/C1 as suitable provision has been recommended.

Path and cycle network - It is agreed that improvements to the path and cycle network are desirable and improvements to footpath connections will be secured alongside planning permissions.

Species survey requirement - Since this is a general statement rather than requiring specific species survey (for example requiring great crested newt where development is proposed close to a waterbody) it is considered that the HwLDP policies 58-60 provides adequate cover.

Landscape setting - This is noted, and it is recommended that the Plan content covers this.

Housing sites

H1 North of Carn Mor – Preferred in MIR

The Community Council support this site but consider that there should be some planting to soften the approach to the village. It is considered that we should continue to prefer this site subject to the necessary developer requirements to cover structure planting, and a gateway feature to slow traffic at entrance to Culbokie. It is however recommended that because of its size this site does not need to be allocated in the Plan however it should be retained within the SDA with text that recognises the structure planting and gateway feature requirements.

H2 + C1 South of Village Store – Preferred in MIR

The development interest of the north portion of H2 is concerned that the new extent of this site which includes additional land to the south west beyond their ownership means

they would need to provide access to this land. However part of the southern part of H2 already has planning permission for 9 serviced house plots (many which have already secured full planning permission and been built) and their access has been secured and provided from the B1969 rather than through northern part of H2.

The northern part of site H2 has been granted planning permission in principle for the uses indicated in the MIR and this remains extant until the 19th of July 2014. If the applicant decides to progress with a detailed (Matters Specified in Conditions) application for this site and develop in the shorter term then it will be secured for these uses in the way that is identified in the MIR.

However that being the case there is still a decision to make on the desirability of maintaining this housing and community use split. It is worth considering because there is uncertainty over the availability of MU1 site south of Tir Alluin which would otherwise provide an opportunity for mixed use development. The Ferintosh Community Council seek C1 and H2 together to be identified as a wider mixed use site however it is considered that there is merit in reflecting what the Culbokie Development Group seek which is a separate mixed use (which excludes housing use) allocation. However it is considered that this mixed use area should reflect the C1 site (rather than taking in the whole north eastern corner as requested by the Culbokie Development group). This means there is a specific allocation for non housing uses providing an opportunity which is restricted to these uses. Therefore it is recommended that the H2 site should be retained in the Plan for housing but C1 should be identified as a Mixed Use site (Commercial and Community Uses). It is also recommended that the Historic Scotland requested developer requirement for consideration to be given to the setting of the scheduled monument should be included.

H3 North of Carn Mor Dun – Preferred in MIR

This site does not have capacity for around 10 or more houses. For this size of site it is considered that the presumption in favour of development within the Settlement Development Area subject to the provisions of general policies is normally sufficient. However TEC's advice is that there is a problem with further development being served off the existing access, whilst SEPA seek a developer requirement to cover flood risk. Therefore in light of the above it is recommended that this site should be allocated in the Plan. This is so the developer requirements covering flood risk and requiring a new access, and appropriate setback from the forest can provide clarity to the Plan user about the significant constraints here that need to be addressed to facilitate any development.

H4 North of Schoolcroft – Preferred in MIR

The southern portion of this site has been developed for 15 affordable units whilst the north western part has an extant planning permission for 12 house plots.

Due to the uncertainty over the availability of MU1 site south of Tir Alluin which would provide an opportunity for mixed use development it is considered appropriate to try and identify additional land for these uses. However it is considered that we should retain flexibility which is something the Community Council/ and the landowner desires because the demand for these uses is unclear. Therefore it is recommended that this site should be allocated for Mixed Uses (Housing, Commerce, Community) in the Plan.

H5 North of Solus Or – Preferred in MIR

There is broad support for this site, but also a request from the Culbokie Development Group for significant screening. It is considered that that the site should be supported and that the planting requirements from Ross and Cromarty East Local Plan (RACE Local Plan) were sufficient in this regard and should be continued forward into this Plan. The landowner of the northern portion of this site suggests that it could be accessed through H8 considering that the southern part of H5 site is currently constrained by ownership (with the landowner thought to be in receivership). However it is considered that access from H8 would be difficult due to visibility of the junction onto the B1968, and that for reasons outlined below under H8, this land should not be supported for housing development. Therefore it is recommended that the site should remain in the Plan with the same access arrangements as those indicated in the RACE Local Plan.

H6 South of Mount Eagle Court – Preferred in MIR

In light of these concerns about loss of woodland, and considering the site against our Highland wide Local Development Plan Policy 52 Principle of Development in Woodland it is considered that this site should be removed from the Plan. The woodland on the site is semi natural woodland of long established plantation origin and if we were to allow removal on the basis of providing compensatory planting it would be difficult to achieve similar benefit in the short to medium term. Also the sites inclusion is not necessary to achieve an appropriate housing land supply and therefore is not delivering significant and clearly defined public benefit. Therefore it is recommended that this site should be removed from the Plan.

H7 South of Carn Mor - Non Preferred in MIR

There is support for this site, and no objections. The issues identified with the site at MIR stage and particularly the way it would elongate the settlement further and its distance from services make it a less appropriate site for development. It is therefore recommended that this site should continue not be included in the Plan.

H8 South of Findon Mill - Non Preferred in MIR

This site is constrained by various factors. Advice was sought from TECs who have confirmed that it is difficult to access H8 due to visibility issues. It is also considered that the landscape and visual impact would be moderate to high on this prominent undulating site and a large area of elevated land in the middle would be a need to avoided to avoid prominent sky lining development. There are also constraints affecting other areas of this site with Scheduled Ancient Monument at Findon Cottage Dun (with Historic Scotland welcoming the Council's non preference of this site), a Historic Environment Record at Findon Mills, and potential flood risk which would require set back from watercourse. The land is 3.2 land capability in the Macaulay classification so just outwith prime farmland but of arable quality and actively farmed. In Culbokie the sites recommended for inclusion in the Plan provide sufficient opportunity and flexibility. For these reasons it is considered that opportunities within the settlement boundary should be maximised first, and it is recommended that this sites allocation is not included in the Plan.

H9 West of Rose Cottage - Non Preferred in MIR

There is support for the non preferred status of this site. There were issues identified with the site at MIR stage and particularly and its contrast to the local landscape character and existing pattern of development. For these reasons because of the access difficulties it is considered that opportunities within the settlement boundary should be maximised first, and it is recommended that this site should not be included in the Plan.

B1 East of Old Primary School – Preferred in MIR

The remaining opportunities on this site are for small scale development however it is considered that the remaining site represents a good road frontage site for business and retail and therefore there should be attempt to accommodate an element of this into the development. Therefore it is recommended that this site should be allocated for mixed uses (housing, business, retail). However given there is an effective site at C1 which is now intended to be a Mixed Use site it is considered that if there is no demand shown for business or retail uses after a 6 month period of marketing then there should be scope for this site to come forward just as solely a housing site. It is therefore recommended that the site should be allocated for Mixed Use (retail, business and housing) with the provision that if the business and retail use cannot be delivered (evidenced by at least 6 months of marketing) then it can be developed solely for housing.

MU1 South of Tir Alluin – Preferred in MIR

The Culbokie Development Group support this site but are aware that the landowner may not release the land in the foreseeable. This site is not prime farm land and it is a very suitable site in the middle of the village for mixed use development. Therefore despite concerns about its availability it should be supported and phased for the 2021 -2031 period in case it becomes available. The doubts about its availability have however been recognised in the decisions made elsewhere within Culbokie with other sites being reallocated for mixed use development in case this site does not come forward particularly in the short to medium term. Therefore it is recommended that this site should be retained in the Plan.

Recommended Proposed Plan Content:

The following consideration of sites sets out some of specific developer requirements however this is not a complete list of the developer requirements, a full list will be developed and presented in the Proposed Plan and associated documents.

MIR sites to be retained are H2, H3, H5

H2 South of Village Store

Junction improvement with B9169. Widen Glascairn Road along frontage and provide footpaths. Joint access with site for Mixed Uses (C1 from MIR)

H3 North of Carn Mor,

new access required, setback from the woodland, Flood Risk Assessment

H5 North of Solus Or, access from Mount Eagle Court

The developer of southern part of this site must construct access road to adoption standards up to north west boundary of their ownership, significant planting beyond north and eastern boundaries of the allocation.

MU1 South of Tir Alluin

MIR sites to be retained but modified are H4

H4 North of Schoolcroft, should be identified as a Mixed Use site for community, housing, business (boundary should be amended to exclude southern portion that has been

developed - 40 houses (roughly 3 hectares)

C1 South of Village Store

a Mixed Use site suitable for community, retail, business uses.

B1 East of Old Primary School

recommended for inclusion as a Mixed Use site suitable for housing, retail, business

Remaining MIR sites and suggested new sites are not retained/recommended for inclusion.

Issue	EVANTON	
MIR reference:	MIR 7.26	
List of persons and organisations who submitted comments (including reference number):		
Adrian And Barbara Clark (01146), Albyn Housing Society Ltd (00419), Highland Deephaven (00755), Kiltearn Community Council (00300), Miss Sheila Fletcher (00881), Mr And Mrs McArthur (01060), Mr Hector Munro (01041), Mr Rob Jack (00999), Novar Estates (00158), RSPB Scotland (01186), Scottish Environment Protection Agency (00523), Scottish Natural Heritage (00204), The Scottish Government (00957)		
Summary of comments received:		
GENERAL		
<i>Species</i>		
Settlement-wide developer requirement for species surveys including reptiles		
RSPB consider that all mixed use and industrial sites within Evanton have the potential to impact on the Inner Moray Firth SPA and should be assessed as outlined in SPP1 and SOEnD Circular 6/1995 (amended June 2000).		
<i>Open Space</i>		
Replicate amenity areas shown in Ross and Cromarty East Local Plan		
<i>Infrastructure</i>		
Extend the drainage system to include the rest of the industrial estate		
Reducing the area of land allocated for development should stimulate improvements to infrastructure that the Council cannot currently afford to undertake.		
<i>Transport</i>		
Access strategy taking into account the cumulative impact of the various development opportunities should be discussed and agreed with Transport Scotland		
SITES		
<u>H7 – Non-preferred/B1 – Preferred in MIR</u>		
Respondent considered that there was general agreement at evening workshop that site would be best allocated for mixed use rather than business.		
Support Council's non preference of H7 for housing due to the noise and industrial activity in this area, with a scrap yard, lorry park and road nearby.		

H1/H2 – Preferred in MIR

A number of access issues were raised by respondents, particularly in relation to the provision of a bridge link to sites H1 and H2. Respondents questioned whether the site was effective taking into account the length of time the sites have been allocated for and costs of delivering a bridge at an early stage to access the site. One respondent considered that 20 units should be permitted using the existing road network.

One expressed the view that alternative access through Teandallon housing would be problematic and creates worse congestion at the Chapel Road/Balconie Street Junction. The absence of a bridge would also result in a long walk to school.

Others raised concerns regarding the cost to the Council of compensating the agricultural tenant on the land. A view was also expressed that the Council could generate income by selling the site to a developer.

SEPA stated that if development is proposed close to the watercourse it will require a flood risk assessment to support the application, the outcome of which may affect the developable area and layout options.

Others considered that additional land should not be allocated for housing until H1 and H2 have been developed and that preferring these sites over other options could potentially threaten the delivery of much needed growth to enhance the viability of local facilities.

MU2/MU3 – Preferred in MIR

Some respondents did not support development on MU2 until access into Teandallon is decided; the Teandallon Farm is freed from the agricultural tenancy and the traffic issues at the school are resolved.

Concerns were raised that MU2 is not a natural extension of the village, but the allocation of a small area at the north west corner between the road junction and the school for mixed use could be understood. Concerns were also raised regarding the loss of farmland.

A number of respondents objected to the allocation of MU2 and MU3 as they considered there is sufficient land allocated at H1 and H2. Concern was also expressed that the allocation of MU2 and MU3 provide a developer with an easy option to provide housing there rather than encountering the additional costs of developing H1 and H2.

Support was expressed for MU2 and MU3 as the respondent considered the sites were free from constraints and deliverable within the plan period.

There was support for a green buffer along the western edge beside Drummond Farm which is visible on approach to the village.

The landowners stated that there may be an opportunity for the Council to purchase part of MU2 for a school drop off zone/pick up area should there be insufficient land within the school site.

MU3 – Preferred in MIR

In addition to the above comments, the following comments were received directly in relation to site MU3.

It was considered that MU3 is suitable for residential development only. It is noted that the site is allocated for residential use in the Ross and Cromarty East Plan with a capacity of 12 units. This respondent wishes the site to be allocated for housing only, with a minimum of 12 units.

H3 – Non-preferred in MIR

Potential adverse effect upon Glen Glass Red Squirrel Stronghold adjacent.

Site should lie outwith the settlement development area.

Consideration to be given to drain/small water course in layout and design of site.

Flood risk assessment required.

H4 – Non-preferred in MIR

Objection to non-preference.

Flood risk assessment required to accompany any planning application; outcome may limit the scale and layout of development on the site.

Allocate site and extend southwards as far as Kiltearn Burial Ground access road for the following reasons:

- Site is readily available for development
- Part of site has received planning permission in the past (now lapsed)
- Ready and inexpensive road access
- Close proximity to school and village centre
- Extension would allow more feasible and attractive road layouts
- Not prime farm land
- Topography can be mitigated by innovative design and landscaping including flood plain and railway public open space set backs
- Could contribute to effective land supply for the village
- Flood risk is limited to northern and western edges

H5/H6 – Non-preferred in MIR

Allocation of sites could have potential adverse effect upon adjacent Glen Glass Squirrel Stronghold.

Site should be allocated for the following reasons:

- Together with H6 provides a strategic long term expansion of MU1 for which a masterplan has been developed

- The three sites could be linked effectively
- Development on prime agricultural land must be weighed against housing needs and creation of employment opportunities
- Close to village centre in comparison to other preferred development sites
- Coherent long term development approach for the north side of Evanton
- Long term approach relevant due to site organisation and infrastructure planning decisions being taken in relation to MU1

H6 – Non-preferred in MIR

In addition to the above comments, the following comments were received directly in relation to site H6.

Loss of trees on northern part of the site would not be significant as it is an area of poor, self seeded partly scrub woodland cover. Any loss would be balanced with high quality structural landscaping with a mixture of tree species which would provide a richer ecology than the current woodland.

Site can easily and inexpensively be developed and serviced.

Flood risk assessment required if development encroaches on the area immediately adjacent to it, or any crossing proposed.

H8 – Non-preferred in MIR

Support Councils non-preference for the site as it is unserviced, has a high water table, is on clay, and is served by a hump back bridge.

Flood risk assessment required in support of planning application if close to watercourse.

I1 – Preferred in MIR

Concerns raised about potential adverse effects on adjacent Cromarty Firth SPA and connected Moray Firth SAC. Must be HRA checked. Potential impacts include disturbance from piling and boat movements.

Concern about potential loss of inventory semi-natural woodland particularly adjacent to the Allt Graad.

Site excludes an extension to the existing jetty that has planning permission, map should be amended to include this area to illustrate the full extent of the marine opportunity in the same way that it shows the opportunity for a rail link.

Flood Risk Assessment required in support of any planning application.

Objection to allocation I1 for the following reasons:

- River is used for fishing and bathing
- Presence of swans and geese
- Impact on paths popular with dog walkers

- Presence of historic fishing bothy
- Impact upon wooded youth camping area

I2 – Preferred in MIR

Flood risk assessment required in support of planning application. Development would be restricted to areas outwith the floodplain which may have a significant effect on the developable area and site layout.

I3 – Preferred in MIR

Flood risk assessment required in support of any planning application.

Transport Scotland would like further information on site I3 which is safeguarded for a rail loop for a siding to Highland Deephaven.

I4 – Non-preferred in MIR

SNH supports non preferral of site because it is within the Cromarty Firth SPA

SEPA support the non-preferred status of the site and would object to its inclusion unless a flood risk assessment was undertaken prior to inclusion in the plan.

I5 – Non-preferred in MIR

Flood Risk Assessment will be required in support of any planning application.

I6 – Non-preferred in MIR

Flood Risk Assessment will be required in support of any planning application.

MU1 – Preferred in MIR

There was some support for site MU1, whereby the loss of prime agricultural land was not considered to be an issue nor the distance from local facilities.

There were concerns however that the site is long term and unmarketable at the moment; the site is distant from village facilities; would encourage unsustainable travel patterns and does not accord with Scottish Planning Policy and Designing Streets.

ALTERNATIVE SITES AND USES CONSULTATION

Please note that the names and reference numbers for comments submitted on this specific consultation are not listed in this document.

East of MU2 – Request for allocation of site to east of MU2 for housing as it has safe access, no infrastructure constraints, free from flood risk, consolidate growth of the settlement and enhance the viability of existing facilities. If site is preferred it would need to be screened in as part of the Habitats Regulation Appraisal for connectivity to the Cromarty Firth SPA.

OTHER ALTERNATIVE SITES AND USES

The following sites were suggested in representations but were not consulted upon as part of the formal alternative sites and uses consultation. This was due to scale/type of uses of proposed and/or the potential effectiveness of site.

Kiltearn Burial Ground - Request for allocation of land for extension of Kiltearn burial ground

North East of I2 - Request for allocation of land north east of I2 for industry

Council's summary of responses to comments:

GENERAL

Species

A requirement for species surveys, including reptiles and great crested newts, will be included in the settlement text for Evanton.

Any potential adverse impacts upon Natura 2000 sites due to sites allocated in the plan will be assessed in the Habitats Regulations Appraisal.

Open Space

Unlike other settlements mapped in the Main Issues Report, there are no areas of preferred or non-preferred open space illustrated in the Evanton inset map. There was a cartographical error which will be corrected in the plan. Having reviewed the areas designated for amenity use in the Evanton inset map of the Ross and Cromarty East Local Plan it considered that the continued designation of these areas for protected open space is appropriate.

Infrastructure

In terms of reducing the area of land allocated for development to stimulate privately funded infrastructure improvements, there is no evidence to suggest this may be the case. Furthermore there are a number of different landowners

Transport

In parallel with the preparation of the IMFLDP transport and planning officers from the Highland Council and the Highland Regional Transport Partnership HiTrans have been working together on a project known as Transport Infrastructure for Growth (TIG). This work has analysed the likely capacity of the existing transport network and services/infrastructure to accommodate future development, and the likely benefits of proposed transport projects proposed. It also used a combination of transport modelling, as well as the involvement of transport partners from the public and private sector, to identify the likely improvements required to the transport network to support the scale of development in each settlement and the wider growth areas.

As a result of this work, a number of strategic and local transport infrastructure requirements have been identified and are listed against the relevant growth areas and/or

settlements and/or sites in the Local Development Plan and the Action Programme. Masterplans and/or planning applications for new development that may have an impact on the trunk road or local road network will be required to undertake a transport assessment. This will determine any impacts and required mitigation that will be expected to be developer funded.

The modelling found that there was no detrimental impact upon the strategic transport network as a result of the cumulative impact of development in Evanton. Impacts on the local road network were also considered and any settlement wide or site specific requirements are listed in the plan.

SITES

H7 – Non-preferred/B1 – Preferred in MIR

This site is continued to be considered unsuitable for housing given its distance from Evanton village centre and its location adjacent to Evanton Industrial Estate. The distance from the village centre at almost 3km is unlikely to support sustainable means of travel and the presence of the industrial estate would be likely to be detrimental the amenity of future residents.

Site B1/H7 is part of a larger site allocated for industry in the Ross and Cromarty East Local Plan; this would allow the site to be used for both business and industrial uses. However, given the presence of a number of residential properties directly north of the site and the potential for harm to residential amenity caused by industrial uses it was felt that it would be most appropriate to allocate the site for business use. This would allow for future development of the site without the potential for detriment to the amenity of the area. It is agreed that the site is unsuitable for residential use given its location adjacent to Evanton Industrial Estate which current contains a number of industrial uses that have the potential to harm residential amenity in the area.

H1/H2 – Preferred in MIR

It is acknowledged that land at Teandallon Farm has been allocated for housing in local plans for the area for a number of years. It is also accepted there are a number of issues affecting the delivery of the sites, in particular the agricultural tenancy agreement and the formation of suitable accesses.

In terms of effectiveness given the constraints outlined above it is accepted that both sites may not be delivered within the plan period. Whilst the Council continues to support the allocation of this land for housing as it is considered a logical expansion area that would consolidate the village and lies close to a range of services and amenities, it is considered that it would be more appropriate for only one of the sites, H1 (Teandallon East), to continue to be supported in the plan but to retain a reference in the plan to the possibility of longer term expansion at Teandallon West. Furthermore, land at Teandallon West is not required to meet the housing land requirement in the East Ross Housing Market Area.

In terms of access, the Ross and Cromarty East Local Plan required a new access road to serve a bridge crossing over the River Sgitheach and to provide access to Drummond Road. The early delivery of this bridge link is fundamental for the creation of a permeable

road network to provide direct links to the primary school. Whilst it is appreciated that the creation of a bridge link is a significant investment, this requirement alone does not make the site inaccessible. The Council's Road Officer has indicated there may be scope of limited development prior to the development of a bridge, subject to the findings of a transport assessment and any necessary mitigation being provided, in particular upgrades to Swordale Road.

With regards to any compensation to the agricultural tenant, this would be a private land transaction between the Council and the tenant and is therefore not a material planning consideration.

With regards to not allocating additional land until H1 and H2 have been developed; in comparison to the Ross and Cromarty East Local Plan no new sites have been allocated for development in Evanton. In terms of the allocation of alternative sites that may be less constrained and therefore come forward before sites H1 and H2 and allow for the viability of local facilities to be enhanced not other sites present the attributes of site H1 in terms of presenting a logical expansion to the settlement.

The SEPA Indicative Coastal and River Flood Map illustrates that a small proportion of the southern part of the site is at risk of flooding. It is therefore agreed that a flood risk assessment will be required to support any planning application.

Site H1 will therefore be allocated in the plan; site H2 will be removed.

MU2/MU3 – Preferred in MIR

Approximately one third of MU2/MU3 is prime agricultural land. Scottish Planning Policy advises (inter alia) that development on prime agricultural land should not be permitted unless it is an essential component of the settlement strategy. It is therefore considered that loss of prime agricultural land at this location, whereby significant housing expansion in Evanton is supported due to its location on the Easter Ross Growth Corridor, is an essential component of the settlement strategy and therefore is consistent with Scottish Planning Policy.

Evanton lies within the Easter Ross growth corridor and therefore is a settlement where significant housing growth is supported. It is important that a range of sites are allocated to increase market choice and flexibility.

It is agreed there are no significant constraints that would prevent the site being delivered within the plan period. A green buffer along the western edge of the site is considered appropriate and will be a requirement for the development of the site.

The Council has not made any formal decision with regards to the potential expansion or redevelopment of Kiltearn Primary School, or any requirement for a drop off zone. As such it is considered appropriate for sites MU2/MU3 to be amalgamated and for a Development Brief to be prepared for the related H1 site at Teandallon. The Development Brief will provide greater certainty with regard to the land that may be required to accommodate future requirements for the school.

It is accepted that the development of MU2, which is a sloping site will have a landscape

impact. It is therefore considered that whilst it remains appropriate to allocate the entire site, to limit housing development to 15 units on the lower parts of the site.

The request for the site to be allocated for residential development only is noted. However given the Council have not yet made a formal decision with regards the future of Kiltearn Primary School this is not possible as it may prejudice options future requirements for the school.

The site must also reserve land that may be required for a bridge access to site H1.

H3 – Non-preferred in MIR

It is acknowledged that development of the site has the potential to have an adverse effect upon Glen Glass Red Squirrel Stronghold which lies adjacent and that a flood risk assessment would be required to support a planning application. These comments are noted and the site continues not be allocated in plan.

It is noted that despite site H3 being non-preferred for development that the settlement development area is drawn around this allocation. This was a cartographical error. As the intention is to continue to non-prefer the site in the Proposed Plan this will be corrected in the Proposed Plan

H4 – Non-preferred in MIR

This site was allocated in the Ross and Cromarty East Local Plan for 24 units to reflect an extant planning permission. The site was not developed and permission has since lapsed. Whilst the site does lie within walking distance of village facilities the SEPA Indicative Coastal and River Flood Map shows that a large proportion of the northern half of the site is at risk from flooding, meaning that much of the H4 site is likely to be unsuitable for development. This is a key reason why this site is non-preferred in the Main Issues Report and will not be allocated in the Proposed Plan. Should a Reporter recommend at examination the site is allocated it is accepted that a flood risk assessment would be required to support a planning application.

Whilst the landowner may have intentions of releasing the land for development in the short term it is considered through the allocation of other sites that are preferred for development in Evanton these will provide a sufficient effective land supply for Evanton and the wider East Ross Housing Market Area.

Whilst the site may not be constrained by road access this is not a sufficient reason for the site to be allocated.

The site lies within active travel distance (400m) of both Kiltearn Primary School and the village centre; there is footway along the Balconie Street and Drummond Road that connect to both. However other preferred sites lie in closer proximity to the school and village centre and their location would allow for a more logical expansion and consolidation of the village.

Contrary to the landowners submission approximately one third of the site is prime agricultural land, which unless it is an essential component of the settlement strategy

Scottish Planning Policy does not support the development of.

The site is undulating in nature and therefore its development is likely to result in the need for changes in land form and level. Furthermore the site forms part of an attractive rural landscape and the southern part allows for views from Balconie Street over the Cromarty Firth. Balconie Street and the River Sgitheach form defensible boundaries to Evanton and there are better opportunities for consolidation and expansion of the village elsewhere.

On the basis of the above the site will not be allocated in the plan.

H5/H6 – Non-preferred in MIR

It is acknowledged that development of the sites have the potential to have an adverse effect upon Glen Glass Red Squirrel Stronghold which lies close to the site. These comments are noted and the site continues not be allocated in plan.

It is accepted that H5 and H6 would form a logical long term expansion area to MU1 and that there is potential for the three sites to link effectively. However the sites do lie some distance from the village centre. Furthermore the Ross and Cromarty East Landscape Capacity Study did not identify any landscape capacity in this area and therefore any development would contrast with the landscape character and setting of Culcairn and Evanton. Furthermore Scottish Planning Policy presumes against development on prime agricultural land unless it is an essential component of the settlement strategy. The allocation of these sites do not outweigh housing need in the area as a generous supply that exceeds the requirements of East Ross Housing Market Area is provided in Evanton and elsewhere in the Housing Market Area. Neither is it outweighed by the potential limited creation of employment opportunities in the area.

The Inner Moray Firth Local Development Plan must focus on specific main proposals for a ten period following adoption of the plan and provide a broad indication of the scale and location of growth for a 20 year period. Taking into account the housing land requirement in the East Ross Housing Market Area and other preferred sites to be allocated in the proposed plan there is no justification for the allocation of H5 or H6 as a sufficient land is to be allocated elsewhere. Furthermore there are a number of other reasons as detailed previously that do favour the allocation of this site.

H8 – Non-preferred in MIR

This site is considered unsuitable for housing for a number of reasons, in particular due to its narrow access road access with limited potential for upgrade; location within attractive mature woodland and proximity to an area of flood risk identified on the SEPA Indicative River and Coastal Flood Map. It also lies within a site identified on the Council's Historic Environment Record, namely Evanton Airfield Officers Quarters of which some remains are present. This site therefore continues to be unsupported in the Proposed Plan.

The site is also generally smaller than that would warrant an application whereby the general rule applied for this plan is capacity for 10 houses or more. It is intended that the Proposed Plan will exclude this area from the settlement development area of Evanton and rather allocate the existing industrial estates in Evanton and their potential extensions as stand alone allocations. The site will therefore fall outwith the Evanton settlement

development area and thus lie within the hinterland area. Should any applications for housing come forward in the future they would be considered against Highland-wide Local Development Plan Policy 35: Housing the Countryside (Hinterland Areas).

I1 – Preferred in MIR

The site's boundary lies close to the coast of the Cromarty Firth which is a designated Ramsar and Special Protection Area. The Habitats Regulation Appraisal screened in this site as it was considered likely to have a significant effect on the Cromarty Firth Special Protection Area; it therefore required appropriate assessment. The appropriate assessment identified potential impacts of development of the site upon the Cromarty Firth Special Protection area and subsequently identified mitigation measures that would allow there to be no residual impact on the integrity of the European site. Full details of potential impacts and mitigation are provided in the Habitats Regulation Appraisal; mitigation requirements will also be detailed in the Proposed Plan.

There are areas of riparian trees either side of the Allt Graad River within the area identified as I1 in the Main Issues Report. They are identified as areas of semi-natural woodland which Scottish Planning Policy requires are protected and enhanced. Whilst it is unlikely that development of the site would be affected these trees as it is an area identified in the SEPA Indicative River and Coastal Flood Map as being at risk from flooding it is agreed that the plan should make clear these trees should be retained as part of any development of the site. As such the plan will require the Allt Graad River and areas of semi-natural trees included within the inventory to be safeguarded.

The SEPA Indicative River and Coastal Flood Map shows that large parts of the site are at risk from both river and coastal flooding. Therefore it is considered appropriate to include text to require flood risk assessment in support of any planning application.

Planning permission was originally granted for the construction of an extension to the existing jetty at Highland Deephaven in April 2003. This permission expired in 2008 and an application for an identical development was subsequently granted planning permission in January 2010 which expired in January 2013. An application to renew this consent was granted in February 2013 (ref: 12/04147/FUL) and therefore this permission remains live. As per the identification of the permitted railway siding it is agreed that the Evanton inset map should be amended to include the permitted jetty and quay extension.

The development of I1 is unlikely to affect the potential of the river for fishing and bathing use. All efforts will be made to retain public access or provide suitable diversions and any impact upon the ecological status of the Allat Graad will be assessed and regulated by SEPA.

The site's boundary lies close to the coast of the Cromarty Firth which is a designated Ramsar and Special Protection Area. Several species of birds are the qualifying feature of this Special Protection Area, including Greylag goose and Whooper swan. As explained above the Habitats Regulation Appraisal screened in this site as it was considered likely to have a significant effect on the Cromarty Firth Special Protection Area; it therefore required appropriate assessment. The appropriate assessment identified potential impacts of development of the site upon the Cromarty Firth Special Protection area and subsequently identified mitigation measures that would allow there to be no residual

impact on the integrity of the European site. Full details of potential impacts and mitigation are provided in the Habitats Regulation Appraisal; mitigation requirements will also be detailed in the Proposed Plan.

In terms of any impacts on paths popular with dog walkers a circular core path lies close to the western boundary of the site. A number of other paths also lie close to and within the site. Policy 77 of the Highland-wide Local Development Plan presumes against development impacting access rights and requires that existing access rights are either maintained or adequate alternative access is provided. This policy will ensure access rights are maintained or a suitable diversion provided.

In terms of the historic fishing bothy it is assumed this is in reference to the former Fishing Station contained in the Council's Historic Environment Record. It is a ruin situated at Balconie Point on the Cromarty Firth within the south western portion of the site. As this site is contained in the Council's Historic Environment Record it is protected by Policy 57: Natural, Built and Cultural Heritage of the Highland-wide Local Development Plan. It is a feature of local/regional importance developments will be allowed of it can be satisfactorily demonstrated that they will not have an unacceptable impact on the natural environment, amenity and heritage resource.

I2 – Preferred in MIR

The SEPA Indicative River and Coastal Flood map shows that a large area of the site is at risk from flooding. It is therefore agreed that the developer requirements text in the plan will make reference to the requirement for a flood risk assessment and that the outcome may have an effect on the developable area and site layout.

I3 – Preferred in MIR

Planning permission was granted for the construction of railway access, sidings and a loading area adjacent to Fyrish Crescent/B817/Newton Road and Railway Line, North of A9 and Highland Deephaven Industrial Estate in 2006 (ref: 02/00903/FULRC). It was intended that the rail siding would provide access into the Highland Deephaven Industrial Estate. The proposal includes the formation of sidings beside the main railway line and freight handing area within the existing Industrial Estate. The proposed rail link would cross the A9(T) by way a new underpass.

Whilst this planning permission was not implemented and has now lapsed the Council continues to support this this aspiration to upgrade facilities at Highland Deephaven and therefore will continue to safeguard route.

The western part of the land identified for a railway siding lies close to an area of flood risk identified on the SEPA Indicative River and Coastal Flood Map. Although planning permission has been granted for this development in the past it was not implemented and has now lapsed. Therefore should a new planning application come forward for this development in the future it is reasonable to request a Flood Risk Assessment to support it.

I4 – Non-preferred in MIR

During the plans 'Call for Sites' exercise the landowner /developer of this site (Highland Deephaven) submitted the entire areas encompassing I1 and I4 for inclusion for business/industrial use in the plan. It was considered that it would be inappropriate to allocate the entire areas as it overlapped with the Cromarty Firth SPA and there therefore would be potential for significant adverse effects on this designation. It was considered more appropriate of the reduce area shown as preferred site I1 to be allocated.

Much of site at the periphery of the coast adjacent to I1 is at risk of costal and/or fluvial flooding as identified on the SEPA Indicative River and Coastal Flood Map. The site continues to be non supported in the Proposed Plan; these comments are therefore noted.

I5 – Non-preferred in MIR

An area the western part of the site is identified as being at risk of flooding on the SEPA Indicative River and Coastal Flood Map. The site continues to be non supported in the Proposed Plan; these comments are therefore noted.

I6 – Non-preferred in MIR

During the plans 'Call for Sites' exercise the landowner /developer of this site (Highland Deephaven) submitted the entire areas encompassing I2 and I6 for inclusion for business/industrial use in the plan. It was considered that it would be inappropriate to allocate the entire areas as much of I6 is at risk of flooding and is long established woodland. It was considered more appropriate of the reduce area shown as preferred site I2 to be allocated.

I6 will not be included in the plan. SEPAs comments are therefore noted.

MU1 – Preferred in MIR

Much of the site is prime agricultural land. Scottish Planning Policy advises (inter alia) that development on prime agricultural land should not be permitted unless it is an essential component of the settlement strategy. It is therefore considered that loss of prime agricultural land at this location, whereby significant housing expansion in Evanton is supported due to its location on the Easter Ross Growth Corridor, is an essential component of the settlement strategy and therefore is consistent with Scottish Planning Policy.

Whilst the site does lie outwith active travel distance of the village centre an existing pedestrian footway provides a link to village centre and there are bus stops within 200m straight line distance of the site. Furthermore the site intended to be allocated for a mix uses including housing and small scale business. The draft masterplan prepared by the developer indicatively outlines scope for allotments, bowling green and tennis courts. Therefore given that a mix of facilities is proposed to be provided this may reduce the level of trips out of the housing area. It is therefore considered that the allocation of the site is consistent with Designing Streets and Scottish Planning Policy.

Paragraph 73 of Scottish Planning Policy requires (inter alia) local development plans to identify the housing land requirement and allocate a range of sites which are effective or capable of becoming effective to meet these requirements up to year 10 beyond the

predicted year of plan adoption and to provide an indication of the possible scale and location of housing land up to year 20. The local development plan is therefore essentially a 20 year plan. There has been active developer interest in this site whereby the landowner/developer wrote to the Council during the plan's 'Call for Sites' exercise pursuing its continued inclusion in the plan (it is allocated in the Ross and Cromarty East Local Plan) and pre-application advice was sought using the Council's Pre-Application Service for Major Developments. As far as the Council is aware there are no major constraints that are preventing the site from coming forward during the plan period. Therefore whilst the site may be long term and unmarketable in the current economic climate there is no evidence to suggest it will not be developed during the plan period.

ALTERNATIVE SITES AND USES CONSULTATION

Please note that the names and reference numbers for comments submitted on this specific consultation are not listed in this document.

Allocate Land To East of MU2 For Housing – Non-preferred in New Sites Consultation

It is accepted that land to the east of MU2 may have a safe access, no infrastructure constraints, is free from flood risk and that further expansion of the settlement could enhance the viability of existing facilities. However the housing land requirement for the East Ross Housing Market Area is already satisfied by existing allocations and development of the site would result in the loss of prime farmland, would have a negative landscape and visual impact and improvements would be required to the drainage network.

OTHER ALTERNATIVE SITES AND USES

The following sites were suggested in representations but were not consulted upon as part of the formal alternative sites and uses consultation. This was due to scale/type of uses of proposed and/or the potential effectiveness of site.

Extension of Kiltearn Burial Ground

Kiltearn Burial Ground lies to the south east of the village of Evanton and therefore outwith the Evanton Settlement Development Area. Therefore should there be any requirement for an expansion of the burial ground any planning application would be considered as a development in the countryside proposal. The policies of the Highland-wide Local Development Plan are supportive, inter alia, of development in the countryside where there is an operational requirement for certain development at certain locations. This would clearly be the case for the expansion of a burial ground. There is therefore no need to make a specific allocation for the development of this ground.

Allocate Land North East of I2 for Industry

The land to the north east of I2 is a flat developable field. Surrounded by landscape features and built development it would be unlikely to have a significant landscape impact in the area and would form a logical expansion area of the existing industrial estate. However it is not considered appropriate to allocate the site for industry at this time for the following reasons: landownership and therefore intentions are unknown; two dwellings lie adjacent to the site and overlook it therefore there is potential for amenity issues; suitability of the existing access is also unknown. Furthermore a significant amount of land

is already allocated for industrial use in Evanton and the wider Ross-shire growth corridor.

Recommended Proposed Plan Content:

- The Proposed Plan text and mapping is available within the Committee papers
- In summary, the following MIR sites are retained:

I1, I2, B1, H1, MU1

- The following MIR sites are retained but the size and/or use of the site has been modified:

MU2 and MU3

- Remaining MIR sites are not retained / recommended for inclusion
- No new sites are recommended for retention within the Proposed Plan

Issue	Maryburgh	
MIR reference:	7.21	
List of persons and organisations who submitted comments (including reference number):		
<p>Brahan Estate (01036), Conon Bridge Community Council (00274), Mr John Matheson (01306), Mr Ken Chisholm (00905), Mr Kenneth Chisholm (00905), Mr RJ McKee (01278), Mrs Jane Menzies (01332), Ms Elizabeth Barras (01105), Ms Jenny MacLennan (01237), Scottish Environment Protection Agency (00523), Scottish Natural Heritage (00204), The Scottish Government (00957)</p>		
Summary of comments received:		
General		
<p>Suggests cross-settlement developer requirement that any development site containing a water body should have a great crested newt survey undertaken.</p> <p>Internal local roads and connection to the wider trunk road network is required prior to further development.</p> <p>Loss of good agricultural land.</p> <p>Maryburgh must retain it's own identity.</p> <p>Concern over impact of development on school capacity.</p>		
Sites		
<u>C1</u>		
Support proposals to keep the site for community use.		
<u>C1/MU4</u>		
Flexible approach should be taken to C1 to allow the community to maximise the potential for sustainable community facilities. May involve demolishing the existing amenity centre and selling land for housing on the site. This could generate income to maintain the community facilities long term and suit the needs of the community.		
<u>MU1</u>		
Support a mix of uses, not just housing.		
A Flood Risk Assessment should be required to support any planning application on the site.		
Site is considered of limited agricultural value		
The site is currently not used for recreational purposes		

Close to the village centre

Elements of the development could be accessed from Hood Street.

Proposed Plan must ensure flexibility in the phasing to facilitate development.

Potential to access the site from the A835.

Support for the development of affordable housing.

MU2

Landscape framework should be brought forward including retention of trees along easter edge.

Need to resolve ownership and access issues.

Support a mix of uses, not just housing.

The site can be delivered without significant effects on the Brahan Inventory Designed Landscape

close to community facilities and established infrastructure network;

MU3

Access

Lack of suitable access and knock on traffic implications for the village

Impact on recreational access

The respondent considers this site illogical from an active travel perspective

Well connected – close to community facilities and established infrastructure network

Dunglass Road may provide for traffic managed connection to Maryburgh

Access could be facilitated through the landowners property without affecting traffic through the village on the single track road

the access to this site would be onto the local road network with impacts on the village

It is considered that MU1, and MU2 are better sites for traffic impact because they can be accessed off the roundabout

Deliverability/Phasing/Uses

Will enable masterplan for Brahan Estate to be developed

Delivery of existing sites allocated in the RACE plan is uncertain

To ensure Maryburgh is able to evolve as a sustainable place

To allow Maryburgh to contribute to declared growth objectives

Logical expansion of the village

Alternative means of opening up land identified for expansion of Maryburgh

Provides opportunity for Brahan Estate to development its tourism, business, resource development and recreational potential

Land will provide for housing, affordable housing, open space, recreation, community facilities and economic development

Would avoid any requirement for assembly of land

Would facilitate development of the present allocation MU1 adjoining Maryburgh to the north-west; and subsequently those parts of MU1 which presently appear constrained. MU1 and MU2 should be developed before MU3 begins
Supports allocation of site for long term development
Supports housing with associated small businesses but not light industrial use

Natural and Built Heritage

Concerns about potential adverse impacts upon Conon Islands SAC and Lower River Conon SSSI in terms of water quality, change in hydrology and invasive non-native plants. Suggests HRA conformity check and addition of resultant mitigation as developer requirements.

Loss of open space/prime farmland

Impact on very mature deciduous woodland.

High visibility from a large surrounding area

While noting that these allocations lie partly within the Brahan Inventory Designed Landscape Historic Scotland (HS) are satisfied that they can be delivered without constituting significant effects on the landscapes integrity.

Site well outwith core heritage woodland and would have no material impact on Brahan Designed Landscape

Constraints

No Flood Risk Assessment required

Limited area of site is prime agricultural land, allocation appropriate as part of the development plan process

Limited loss of amenity on the river side of the site as no housing would be built on the flood plain

Allocation of MU3 leads to a further loss of farmland

Issues Affecting more than one site

MU1/MU2/MU3

Part of MU1 Brahan Estate and MU2 and MU3 must be recognised on their merits as one allocation in addition to or as an alternative to, the remnant parts of the MU1 concept contained in the RACE Local Plan.

Required to respond effectively to Maryburgh's requirements and its growth prospects; but also to enable the landholdings of others to be developed by extending and safeguarding infrastructure options. These are principles are essential to the continued sustainable development of Maryburgh.

MU2/MU3

Access

Access can be taken from a new junction on the A835 relieving congestion on Proby

Street and approach to A835/A862 roundabout
Dunglass Road may provide for traffic managed connection to Maryburgh
Creation of improved links to Estate heritage from Maryburgh

Infrastructure

Sufficient school capacity

Deliverability

Allocation will enable masterplan for Brahan Estate to be developed

More deliverable than existing allocated sites;

Provides opportunity for Brahan Estate to development its tourism, business, resource development and recreational potential

Can provide a mix of uses and economic development

Would avoid any requirement for assembly of land, but would facilitate development of the present allocation MU1 adjoining Maryburgh to the north-west; and subsequently those parts of MU1 which presently appear constrained.

Logical expansion of the village

Natural and Built Heritage

Allow early creation of landscape setting

Exceptional outlook and environment;

Site well outwith core heritage woodland and would have no material impact on Brahan Designed Landscape

Concerns about potential adverse impacts upon Conon Islands SAC and Lower River Conon SSSI in terms of water quality, change in hydrology and invasive non-native plants. Suggests HRA conformity check and addition of resultant mitigation as developer requirements.

SUDS strategy that is responsive to the River Conon SAC/SSSI would be developed.

Constraints

Presence of overhead lines mean development would be kept well below the skyline

Proposal would continue the established development pattern

Limited area of site is prime agricultural land, allocation appropriate as part of the development plan process

Council's summary of responses to comments:

General

Great Crested Newt Survey

It is considered that in the interests of protecting and enhancing the habitats of Great Crested Newts in this area that a survey should be provided as part of any planning application in Maryburgh which contains or is close to a water body to determine the presence of Great Crested Newts on the site and any required mitigation.

Effect of development on Trunk Road Network

The level of development proposed in the area has been fed into a strategic transport model which assesses the impact on the strategic road infrastructure in the area. Through this work, improvements to the A835 junction (in Conon Bridge) have been identified as a requirement. The exact timing and design, as well as feasibility, of these improvements will be subject to discussion with Transport Scotland.

With regard to the local road network, the existing issues are well understood and through the implementation of the traffic calming measures for the safe routes to school. On a site by site basis suitable mitigation has been identified through discussion with the local TECS team to ensure that there is no net detriment on the existing road network. Some of these mitigation measures will also, indirectly address existing issues.

Loss of good agricultural land

Scottish Planning Policy states that prime agricultural land can be developed if it is a key part of the spatial strategy. In the case of Maryburgh, there is a need and demand for additional houses and there are limited areas for expansion and as such it is inevitable that some of the agricultural land around the settlement will be lost. However development has been mainly focused on areas which are not classed as prime agricultural land.

Maryburgh must retain it's own identity

It is considered that while Maryburgh and Conon Bridge are intrinsically linked they both have their own unique identities and through further development in both settlements they can both continue to retain these identities and develop them.

School capacity

The capacity of Ben Wyvis Primary School is at 91% and is forecast to fall to 85% by 2026/27. While this is the case, due to this being a new school it is likely that placing requests to the school will increase. The school has been built in a manner which allows expansion over time, if required. Developer contributions will be sought toward this expansion in line with The Highland Council's Developer Contributions: Supplementary Guidance.

Sites

C1/MU4

There is support for re-use of the land in a manner which reflects the community's aspirations. While this is the case the playing field makes a highly valuable contribution to the openness and sense of place in this part of the settlement. Any redevelopment of this site for community uses and housing would be required to keep this open feel and retain the level of playing field provision currently enjoyed. With any further car generating uses on the site the existing level of car parking would be required to be retained to continue to

support the existing uses and augmented to accommodate any additional requirements from further development on the site. On-street parking on Seaforth Place would not be acceptable.

It is proposed for the reasons outlined above that the wider site is allocated in the plan to facilitate the delivery of housing and community facilities on site, while maintaining playing field provision on the site.

MU1

To better understand the potential flood risk on the site a Flood Risk Assessment should be required to support any planning application on the site.

As Hood Street is currently subject to heavy traffic, the optimum local road solution to access would be via a loop road from MU1 accessed from Proby Street through to MU2. An Assessment of Roundabout Capacity And Delay (ARCADY) would be required for any level of development above 70 houses. A Transport Assessment is required to identify the most suitable access and level of development on the site. There is some limited potential for the delivery of development on this site in a location of Birch Drive which would not prejudice the delivery of the site as a whole due to its location and surrounding topography.

The delivery of this site is key to the future expansion of Maryburgh and as such will be allocated in the Proposed Plan. While flexibility in the phasing will be important, this will not resolve the complex issues related to land ownership. It is proposed that a bespoke workshop will be brought forward to facilitate a strategic masterplan for the site encouraging the landowners on the site to work together to deliver development across this allocation (and MU2).

MU2

To ensure that development on this site does not have a significant visual impact, it is considered that a landscape framework would be appropriate and the retention of trees along eastern edge should be a key feature.

It is acknowledged that the site can be delivered without significant effects on the Brahan Inventory Designed Landscape, however to ensure it is considered from an early stage in the development a developer requirement relating to the Designed Landscape would be appropriate.

While the development is in close proximity of the centre of the settlement, active travel linkages and safe routes to school will be required to encourage walking and cycling and to utilise the connections to the wider walking and cycling network linking to Conon Bridge, Dingwall and beyond.

This site in combination with sites MU1 are key to the future of the settlement and as such will be allocated in the proposed plan.

MU3

Access

With regard to road access It is considered that the only local road solution would be

available following the completion of sites MU1 and MU2 due to the very narrow nature of Dunglass Road at the edge of the existing built extent of Maryburgh. It is accepted that the road prior to and beyond this pinch point could be widened. A Transport Assessment would be required. A solution has been put forward which would involve access from the trunk road, however through discussion with Transport Scotland this approach is not considered appropriate.

Careful consideration of the impact on recreational access is required for this site. It is accepted that it is some distance from the amenities in the village but through the provision of footpaths along Dunglass Road there would be potential to deliver a safe circular walking/cycling route through the development and towards village facilities utilising the existing network of paths and trails.

Deliverability/Phasing/Uses

It is accepted that this site is free from the landownership constraints which currently inhibit the development of other sites which are currently allocated in the Ross and Cromarty East Local Plan. While this is the case the issue of access needs to be addressed and for this site to meet its potential significant infrastructure works would be required to deliver.

It is understood that progress is being made to remove some of the land ownership constraints to deliver (at least in part) other allocations within the settlement. It is considered that the development of site MU3 may have potential in the longer term but given the infrastructure required and the housing land supply available across the housing market area that it would be premature to allocate this site for development at this stage.

It is recognised that the allocation of this site would provide opportunity for the estate to develop its tourism, business, resource development and recreational potential, it is considered that this could equally be done in areas which are under the ownership of the estate and would consolidate the existing offering in these areas. Proposals such as these could be adequately considered through the planning application process where they would be assessed against the general policies of the Highland-wide Local Development Plan.

Natural and Built Heritage

Ongoing work on the Habitats Regulations Appraisal of the plan has identified mitigation which would ensure development will not have an impact on the Conon Islands SAC and the River Conon SSSI.

It is considered that there may be an impact on mature trees through this development however this can be mitigated through the adequate design of development in the area. This should form part of a landscape framework for the site which would be informed by a tree survey. These would be developer requirements and would be required to be submitted at the planning application stage.

It is acknowledged that the site can be delivered without significant effects on the Brahan Inventory Designed Landscape, however to ensure it is considered from an early stage in the development a developer requirement relating to the Designed Landscape would be appropriate.

It is accepted that this development would be highly visible, especially from those houses

which are directly adjacent to the site, from Conon Bridge and the approach to the village from the A835. Through a suitable landscape framework and siting and design of development this can be mitigated to an extent to make a contribution to the existing landscape of the area.

Flood Risk

A flood risk assessment would be required to demonstrate the extent of the flood risk area. Built development in an area at risk of flooding would be contrary to Scottish Planning Policy and the Highland-wide Local Development Plan.

For the reasons outlined above and the cumulative impacts of this development as set out below, it is proposed that MU3 is not included in the plan at this time. The uncertainty over the access to this site from the trunk road is also a major factor in the decision not to allocate this site. However, in developing a strategic masterplan for sites MU1 and MU2 it would be appropriate to ensure that the longer term potential of this site is not undermined as it does provide potential for expansion of Maryburgh in the longer term.

MU1/MU2/MU3

Considering site MU1, MU2 and MU3 as a single allocation / Development Pattern

The development of all of the sites allocated in the Ross and Cromarty East Local Plan are the first priority for the development of Maryburgh to ensure the existing development pattern is consolidated prior to further expansion beyond the current built envelope of the settlement. While they have constraints related to land ownership it is understood that some of these are being addressed. It is acknowledged that in order to respond effectively to Maryburgh's requirements and its growth prospects and enable land holdings of others to be developed that the consideration of the site as a whole would be beneficial to releasing land and safeguarding infrastructure options. To address this it is proposed that a strategic masterplan could be led by The Highland Council to address the specific constraints and provide a framework for development which would suit all landowners.

MU2/MU3

Access

While a proposed new access from the A835 has been proposed from discussions with Transport Scotland it is understood that the presumption against new access on to the trunk road network remains. Any rationalisation of existing accesses to the land in ownership of the estate and creation of a new access would only be considered if it can be demonstrated that safety benefits would result.

It is correct to state that Dunglass Road may provide for traffic managed connection to Maryburgh however given the potential level of development this road will need widening, and a pinch point at the current built extent to Maryburgh would inhibit this to an extent. Also the internal road network does not have capacity to accommodate this level of development.

Footpath improvements to the area would be key, and could create a better link for existing residents along Dunglass Road to the heritage of the estate. These could be a feature of any widening of Dunglass Road however the pinch point at the current built

extent to Maryburgh would inhibit this.

Deliverability

It is acknowledged that sites MU2 and MU3 would offer a less constrained option for development as it is a single land owner. However, that is not to say that development of these sites either alone or in combination are not free from constraint with the road access potentially being the biggest constraint. Development on these sites could provide another form of access, in the medium to longer term, with the development of site MU1 unlocking the full potential of the site. However, at this time the uncertainty over being able to create a new access from the trunk road means this may not be possible.

It is acknowledged that in time site MU3 would form a suitable expansion of Maryburgh but at present it is considered that the existing allocations would benefit from development prior to the development of further expansion sites. It is understood that some of the existing landowner constraints with regard to delivery of site MU1 are currently being addressed.

Natural and Built Heritage

Ongoing work on the Habitats Regulations Appraisal of the plan has identified mitigation which would ensure development will not have an impact on the Conon Islands SAC and the River Conon SSSI. This could include a SUDS strategy that is responsive to the River Conon SAC/SSSI would be developed.

Overhead lines

The presence of overhead lines across the sites would mean that development would be somewhat restricted, however through suitable design and layout of development there would be opportunity to develop within proximity of these lines. It is however accepted that the presence of the overhead lines may limit the impact of the development on the skyline.

Recommended Proposed Plan Content:

- In summary, the following MIR sites are retained:
MU1, MU2
- The following sites are retained but with modified use/boundary
MU4/C1,
- Remaining MIR sites and suggested new sites are not retained / recommended for inclusion

A cross-settlement developer requirement will be added related to great crested newt surveys.

Issue	Munlochy
List of persons and organisations who submitted comments (including reference number):	
Broadland Properties Ltd (01197), Knockbain Community Council (00303), Mr Anthony Neil Morey (00774), Mrs Karin Kremer (00729), Scottish Environment Protection Agency (00523), Scottish Natural Heritage (00204)	
Summary of comments received:	
<p><u>Housing sites</u></p> <p><u>H1 East of Cameron Crescent – Preferred in MIR</u> One respondent expresses support of this site and the development interest supports the site and notes that interest has been expressed by the Council to using this site for affordable housing provision. The development interest suggests the mitigation should be planting along northern boundary to the commercial garage, filling station and bus depot.</p> <p><u>H2 Brae farm– Preferred in MIR</u> One respondent expresses support of this site.</p> <p><u>H3 Brae farm – Preferred in MIR</u> One respondent expresses support of this site whilst SEPA do not object but consider that the small watercourse should be considered as part of drainage, site design and layout.</p> <p><u>H4 Millbank Park – Preferred in MIR</u> Knockbain Community Council and another respondent do not support the allocation of this site due to the inadequacy of the access. SEPA do not object but would seek appropriate development requirements regarding flood risk to be included in the Plan.</p> <p><u>H5 North of Brae Park - Non preferred in MIR</u> One respondent suggests that allotments may be a more appropriate use of this site.</p> <p>Knockbain Community Council seek the continuance of the school site from RACE as it needs to be protected citing example of North Kessock site which lay empty for years prior to being developed.</p> <p>The Developer interest however seeks allocation for 4 houses here and is frustrated by lack of clarity as to plans for school provision.</p> <p><u>MU1 South of the Post Office – Preferred in MIR, and H6 South of Village Hall - Non Preferred in MIR</u> Support from Knockbain Community Council and developer interest for MU1. Another respondent seeks MU1 allocation to be extended eastwards and allocate for business and cultural. Whilst there is another respondent who expresses support of this site. SEPA do not object provided the appropriate developer requirements are put in place regarding flood risk and for restoration and space of natural processes where necessary.</p> <p>However the development interest considers that if allocated with western half of H6 then a masterplan would be prepared aided by more information on layout/size of car park</p>	

required and demand for business, community facilities. The developer considers that this has potential to sustain/enhance employment and provide traffic calming measures. The development interest states that the masterplan would guide the housing, affordable housing, open space, woodland safeguards, buffer zones from burns, design of buildings, planting on eastern edge, and path linkages.

H6 - SNH support non preference due to Geological Conservation Reviews (GCR) site impact. Knockbain Community Council are concerned about visual impact from outwith the village, they support MU1 as screened by trees whilst they consider that H6 is not. Another respondent considers that H6 is premature and that it would have too much visual impact.

B1 North of A832 – Preferred in MIR

There is developer interest support for extended or reconfigured business/tourism allocation at B1 to cover the triangular field to the north east of the junction. This would include planting to eastern boundary to soften impact. It is considered that this extended site would be more marketable site (with an attractive outlook onto Munlochy bay), and could create local employment. It is doubted whether applicant or Council can deliver improvements to the junction.

There is also support for this extension from Knockbain Community Council and from another respondent.

Alternative site consultation on extended B1 site Non preferred

The development interest was encouraged to put forward this additional area following discussions with Knockbain Community Council and other local representatives about the road junction. The development interest considers many of the cons listed to be questionable but notably that this proposal may not fully address the junction issue. The development interest would like to discuss the availability of adjacent land on the south east side of the junction and has had early discussions with TECS Roads about moving the northern leg of the junction to the eastern edge of the requested additional business/tourism land. The developer feels that there is clearly concern locally and within the Council about the current alignment of the road junction but the Council does not have the resources to effect the preferred solution, which could be undertaken as part of developing an expanded business site.

Council's summary of responses to comments:

Housing sites

H1 East of Cameron Crescent – Preferred in MIR

The development interest acknowledges that there is a need to retain existing woodland and suggests mitigation tree planting along northern boundary to buffer development from the A832, the commercial garage, filling station and bus depot. It is considered that this mitigation will provide sufficient amenity and that the site should be supported for allocation in the Plan.

H2 Brae Farm and H3 Brae Farm - Preferred in MIR

These sites were granted full planning permission for the formation of 41 house plots in November 2006, and Cairn received planning permission for 13 units on the southern part of H3. SEPA seek that the small watercourse on H3 should be considered as part of the drainage, site design and layout. It is considered that the Plan should reflect the planning

permission and this site should be allocated in the Plan subject to the provisions of the 2006 planning permission and to the developer requirement suggested by SEPA.

H4 Millbank Park – Preferred in MIR

There is limited remaining opportunities for housing here, also there is a doubt about the effectiveness of the remaining opportunities because it requires resolution of the junction visibility issue. If it is however left within the Settlement Development Area this allows scope for development if the junction issue is addressed, and if development opportunities can be found that are outwith medium to high flood risk in accordance with Highland wide Local Development Plan Policy 65 Flood Risk. It is therefore recommended that this site should be removed as a housing allocation but should remain within the Settlement Development Area in the Plan.

H5 North of Brae Park - Non Preferred in MIR

It is considered that this site should be retained for community use as the Sustainable Schools Estates Review is necessary before we can establish whether the site is required for primary school provision. It is recognised that a survey has identified ground condition issues, and that ground condition issues would need to be addressed, however during the Examination of the Ross and Cromarty East Local Plan the reporter concluded that this did not necessarily preclude the designation of this site for a school although issues would need to be addressed and the viability of the proposed scheme established. It is also considered that the scale of the housing development allocated elsewhere within Munloch is considered appropriate and our housing land identified within the Mid Ross housing market meets the level identified in Housing Needs and Demand Assessment 2010. Therefore it is recommended that this site is allocated for community uses.

MU1 South of Post Office - Preferred in MIR, and H6 South of the Village Hall Non Preferred in MIR

The eastern area within H6 (which is proposed by the Development interest as an extension to MU1) when viewed from the south already benefits from the softening of mature trees along this boundary. Since the Geological Conservation Review (GCR) area takes up the western half of H6 development of this part of the site is resisted. This is because the GCR area is an integral member of a national network of Quaternary sites which together represent relative sea level movements in Scotland, and demonstrates national patterns of isostatic uplift. This is therefore a feature of national importance which requires protection.

In terms of the concern expressed about the visual impact of the H6 site it would benefit from advance planting to the east to soften the impact. However when viewed from the north the western portion of the site is well stepped in from the houses above and will not have a significant visual impact, and when viewed from the south it already benefits from trees which screen the area. There would also be some benefits to extending the MU1 site to include the eastern part of H6. This is because it is in a very good central location close to services and facilities, and is a natural extension to the village helping to round off the existing built form. However there are access concerns about this level of development being served off a single access from the village hall car park. The suggested expansion into the western part of H6 is therefore considered to be premature to this Plan and it is considered that secondary access solutions, and advance planting to the east should be explored to support its future development. Therefore it is recommended that just MU1 should be allocated, and H6 should not be included in this Plan.

B1 North of A832, Preferred in MIR and New site expansion to the east Non Preferred in Alternative Sites and Uses Consultation

Please note that the names and reference numbers for comments submitted on the Alternative Sites and Uses consultation are not listed in this document. Despite there being some level of support locally for an extension of B1 to include a triangular field to the east it is considered that there would be significant landscape/visual/village form and character impacts involved in extending development east beyond the existing settlement boundary onto this prominent field. There are clear views to and from this site from within the settlement and across the bay and the scale of this extended site and its prominence in the landscape would be unacceptable. Development here would also impinge on the openness of this landscape, and would impinge on important public views towards Munloch Bay. The proposed extended site would also adversely affect the compact form and the character of the village.

The development interest considers that the extended site would help to deliver the junction improvements. However this land is a sensitive gateway site and the existing B1 site already offers a significant development opportunity to help deliver the junction improvements desired whilst not resulting in unacceptable landscape, visual, settlement form and character impacts. In light of the above it is therefore recommended that the B1 site should be included in the Plan but it should not include the additional triangular field to the east.

Recommended Proposed Plan Content:

The following consideration of sites sets out some of specific developer requirements however this is not a complete list of the developer requirements, a full list will be developed and presented in the Proposed Plan and associated documents.

Sites H1, H2, H3, MU1 should be supported.

H1

Setback from the A832, retain existing woodland and provide buffer planting to the north.

H2, H3

H2, and H3 have a planning permission 06/00201/FULRC for 41 houses that should be reflected in the Proposed Plan

MU1

Prepare Design Statement in consultation with the community covering: preparation of a landscape design framework, and siting and design guidance with visualisations, this should include layout and distribution of uses and provision of central amenity greenspace (and include consideration of utilising flood risk areas for overspill public car parking provision), should provide woodland safeguards and hold back areas from the adjacent burns and allow space for restoration of any watercourse within the site that has been historically realigned, there is also a developer Flood Risk Assessment requirement.

Remaining MIR sites and suggested new sites are not retained / recommended for inclusion.

Issue	North Kessock
List of persons and organisations who submitted comments (including reference number):	
Broadland Properties Ltd (01197), Knockbain Community Council (00303), Miss Sheila Rattray (00681), Mr Graham Low (00739), Mr Peter Rattray (01079), Mr Rolf Schmidt (00773), Ms Anne Thomas (01208), Scottish Environment Protection Agency (00523), Scottish Natural Heritage (00204)	
Summary of comments received:	
<p><u>General</u></p> <p>Skatepark - Knockbain Community Council request a skatepark/BMX track in the Bellfield area and another respondent seeks a community orchard.</p> <p>Shoreline development - Knockbain Community Council request that for the shoreline from Kessock Pier to Avoch the Plan should preclude against further development.</p> <p>Wider access improvements - A respondent has suggested that if the missing section of the A9 cycle route past the wildlife park to the monument and Station road in Avoch was provided and if the route from Avoch to Fortrose was upgraded this would really open up the options for cycling. A respondent seeks improvement to connections to bus services on either side of the A9 from underpass or footbridge provision. A respondent considers that there are various improvements that could be made to the timetable of buses and access to the more frequent buses from the A9, and that the road past the school should be made a 20mph.</p> <p>Mix of uses - A respondent is also concerned about the lack of opportunity for other uses to be accommodated beyond housing uses.</p> <p>Protection of Open space - A respondent seeks retention of "The Dell" as public amenity.</p>	
<p><u>Housing</u></p> <p><u>H1 Bellfield – Preferred in MIR</u></p> <p>The development interest considers that the allocation should reflect the uses confirmed by the reserved matters planning permission for the masterplan.</p> <p>A respondent is concerned about development west of Bellfield House, and a respondent supports the inclusion of another bus stop, whilst Knockbain Community Council refer to issues with the drainage and problems with debris from the A9. Another respondent seeks retention of trees adjacent to burn at Bellfield as they are important for character of village. SEPA do not object provided appropriate developer requirements for flood risk are proposed.</p> <p><u>Changing H1 from a housing site to a mixed use site for: housing, commercial and community use - Alternative sites consultation - Preferred</u></p> <p>Details of those submitting comment to this consultation are not listed in this document. There were no responses received on this matter in the consultation which was to change the uses so they reflect the extant planning permission and its masterplan (which included</p>	

commercial and community uses). However one respondent seeks protection for the walk along the burn from the shore road up to Belfield Farm, including the mature trees that line it, considering that a certain distance would need to be maintained between the new houses and the footpath, together with some visual screening in the form of vegetation. It is considered that this line of trees defines the skyline of Charleston to the west, as the trees contribute significantly to the attractive look of the village

H2 and H3 - Non Preferred in MIR

The development interests of H2 and H3 object to the non-preferred status of the sites as they are considered to be suitable infill sites which would provide housing for 5-10 houses and offer choice to the Tulloch's development. It is also highlighted that the combined sites are 3.27 hectares which would provide space for a lot more than 5-6 houses. However Knockbain Community Council consider that land needs to be made available within H3 for realignment of the road, to improve safety.

B1 West of Bellfield Farm Cottage - Preferred in MIR

The developer interest states that the proposed golf course with associated club house, country club/hotel, and other unspecified leisure uses are not expected in the short to medium term and requests the area for the associated club house etc be retained in the extended and reconfigured form shown in the MIR. This is to allow potential for a wider range of leisure, tourism and employment uses, allow the setting back of buildings from the trunk gas main to the north and to account for the detailed access arrangements resulting from the approved housing layout over adjoining land. This it is suggested would also allow a better and more widespread arrangement of buildings to take advantage the superb views to the south and south west and the setting around the small loch. It is still intended by the development interest that this larger area of land should accommodate a golf club house, indoor sports/leisure club, hotel, etc. but also offer scope for holiday apartments, offices and other business uses mainly associated with leisure and tourism. It is hoped that this will provide the greater flexibility required to make the land more financially attractive to potential developers.

Knockbain Community Council are concerned over change in types of land uses supported (from leisure and agricultural business use to tourism and business use) and are concerned about the enlargement of site to the west and south compared to the Ross and Cromarty East (RACE) Local Plan. They support retention of the description in existing local plan. They are concerned that justification for enlargement is based upon loss of developable land due to the requirement to plant a new tree belt (when this is not considered to occupy much land of the existing allocated site). They consider that future development should be predicated on the construction of a golf course. They also consider that the area to south of the farm road from Bellfield to Lettoch should not be built on as this would allow the houses remaining to be built to become amenity housing bordering a golf course which they consider to be the reason permission was originally given.

Another respondent is concerned about further development west of Bellfield House and considers that this site should only be supported if it delivers a golf course.

SNH request a developer requirement for great crested newt species survey.

Council's summary of responses to comments:

General

Skatepark - This issue is best considered through the detailed planning application/s for the NK2 site, looking at what the existing green/open space provision is within the area and identifying the deficiencies. Planning permission has already been secured in principle for a tree and open space management plan. Already detailed permission has been given for a kick about pitch to the east of Phase 3 of the housing development between here and the area identified for commercial uses, and detailed permission has been given for a play area below Bellfield Farmhouse.

Shoreline development - Knockbain Community Council request that the shoreline from Kessock Pier to Avoch should preclude against further development. However the RACE Local plan approach to shoreline between Charleston and Redcastle has been superseded by the general policy approach established in the Highland wide Local Development Plan. This includes Policy 57 Natural, Built and Cultural Heritage which provides appropriate protection to the isolated parts of the coastline in accordance with Scottish Planning Policy, and provides some protection to the most important landscapes and wildlife which are designated. Also Policy 49 Coastal Development, and Policy 35 Housing in the Countryside (Hinterland areas) and Policy 36 Development in the Wider Countryside provide a suitable context to assess the appropriateness of development proposals.

Wider access improvements – Where appropriate these will and are being secured through the outline planning application approved and the detailed applications as they come forward at Charleston, and a footpath link under the bridge will be sought from proposals at Craigton. These footpath requirements are also stated in the Plan content. Furthermore a core path link between Avoch and Munloch is identified in the Ross-shire strategy and in the Action Programme. Also developer contributions are sought towards the Black Isle Transportation corridor improvements.

Mix of uses - It is recommended that the H1 Bellfield allocation should be identified as a mixed use allocation to reflect the extant planning permission that includes community and commercial uses (also see response for H1 Bellfield below).

Protection of Open Space - In North Kessock green spaces will be identified for protection as long as they are considered to meet the criteria identified in IMFLDP. This means the Council will identify and safeguard areas of high quality, fit for purpose and accessible open spaces and this will be carried out using the methodology of the Highland Greenspace Audit and based on the policy principles as set out in Policy 74 Open Space of the Highland-wide Local Development Plan. At the moment this task has not been carried out and the mapping of green spaces in the plan will therefore change after this task is complete. However with regard to the comment on the Dell (assuming this refers to land south of Millbank house) the trees here are subject to a Tree Protection Order which already gives policy protection for them. Also although the wider assessment has not been completed it is considered there is merit in inclusion of this land in the Plan as a green space.

H1 Bellfield - Preferred in MIR and consulted on as a Preferred Mixed Use site in the Alternative Sites and Uses consultation

Please note that the names and reference numbers for comments submitted on the Alternative Sites and Uses consultation are not listed in this document. The planning

history of this site is that outline proposals were approved for further housing, recreation land, community and commercial facilities at Bellfield Farm in July 2005 (covering H1, and much of B1). Then a reserved matters application ([07/00876/REMRC](#)) was permitted in January 2008 for layout of 129 houses, access improvements, 10 apartment block to the rear of Bellfield house and conversion of the house to 3 residential units, formation of a petrol filling station site, formation of commercial development site, associated footpaths, landscaping, parks and play areas. There were no details of the individual components at that stage, however this permission achieved a detailed permission for the layout of roads and footpaths to service the housing development in six phases.

Subsequently Phase 1 has received detailed permission and has been developed for 18 affordable housing units with associated roads and landscaping, Phase 2 has received detailed permission and has been developed for 28 houses, and Phase 3 has received planning permission for 29 housing units including 11 affordable units, with a kick about pitch to the east, and a play area below Bellfield Farmhouse also receiving planning permission.

Whilst a respondent is concerned about development west of Bellfield House this is part of the extant reserved matters planning permission granted January 2008 for housing, commercial and golf course development. A respondent also supports the inclusion of another bus stop. It is noted that this has been considered through the planning applications and that there has been provision of a new bus stop within the H1 development.

The landowner considers that the allocation should reflect the uses confirmed by the reserved matters planning permission for the masterplan. It is agreed that the MIR did not reflect the uses set out in the 2008 reserved matters planning permission and with the principle of these uses established through this permission, this was simply an error. Therefore it is recommended that this allocation is changed in the Plan to a mixed use allocation for housing, commercial, and community uses.

The Plan's requirements for this site should reflect those of the 2008 reserved matters planning permission which notably ensures that residential amenity is protected through the requirement for a landscape and building design brief (to accompany the detailed planning applications), through the requirement for the commercial area to be designed to a maximum height of two storeys, and through the protection of existing woodland and provision of new structural planting. Specifically the detail of the 2008 permission ensures retention of the existing amenity corridor running from Bellfield House to the south and flanking the burn, covers new structural planting around the boundaries of the H1/B1 site, predominantly within a 40-70m strip to the western boundary of H1, and includes reinforcement of established areas of woodland including the oak avenue covered by a tree preservation order, and amenity planting at other integral parts of the site. The extant planning permission also secures that the existing network of paths are retained as far as possible (including the footpath running south from Bellfield House), including adjacent walls, trees and vegetation with integrated provision of pedestrian and cycle links throughout. SEPA do not object provided developer requirements covering Flood Risk Assessment are included in the Plan. It is recommended that the plan content should reflect the generality of the provisions of the 2008 extant reserved matters planning permission however for avoidance of doubt the detailed provisions are already secured through the extant 2008 reserved matters planning permission and this Plan is just

reflecting this position.

H2 and H3 Non Preferred in MIR

Consulting with the Council's TECs for roads advice it has been confirmed that no development should be supported at Craigton if it is to be served from the road network beyond the Eriskay and Craiglea bend in the road. There is also an amenity concern for development at H2 due to its proximity to the A9 and this will constrain the suitable opportunities here.

It is considered that given the sites do not offer opportunity for 10 plus houses they do not need to be allocated and can remain within the Settlement Development Area where the presumption is in favour of development subject to the General Policies of the Highland wide Local Plan. This means their development can be supported if they meet the provisions of the general policies and in this case the key issues are access from a suitable point in the road network, and subject to any proposal achieving acceptable amenity. It is considered that the choice and flexibility in the housing land supply is not harmed by their inclusion within the Settlement Development Area in the Plan.

In light of the above it is recommended that H2 and H3 are not allocated in the Plan. However reference should be made to the potential for some housing at Craigton where it is accessed from before the junction at Craiglea/ Elderbrae and Croft, and limited to where suitable amenity can be achieved. This is to ensure the Plan is clear as to the constraints that will significantly affect development opportunities at Craigton.

B1 West of Bellfield Cottage

With regard to the golf course, the masterplan approved as part of the 2005 outline permission ensures that there is a requirement that the golf course must come forward in association with the other uses. However the Ross and Cromarty East Local Plan and the 05/00466/OUTRC outline planning permission did allow for tourism and leisure uses on this site (so the principle is established).

In considering the merits of the MIR expanded business/tourism allocation as opposed to the RACE and extant planning permission boundary, it is considered that the extended areas to the south east and to the north east would possibly require a Transport Assessment depending on the capacity requirements from the proposed development, and the core path would need to be retained through the site, whilst maintaining or enhancing its amenity value. However whilst there are no additional natural, built or cultural heritage features the extended site would result in loss of additional prime agricultural land and this is a key planning issue for this Plan when considering whether to support the principle an expanded site (expanded from the extant planning permission and and this site in the RACE Local Plan).

Reference is therefore made to Scottish Planning Policy which states that the use of prime agricultural land is considered acceptable where it forms an important part of the settlement strategy and it will be argued by the developer that in trying to make the employment/tourist generating uses viable this additional land is an important part of the settlement strategy. It is recognised that with regard to the trunk gas main this has resulted in loss of developable land and the applicant also employed the services of an arboricultural consultant to provide a comprehensive landscape plan showing clearly large areas of new structural tree planting around the boundaries of the site, predominantly

within a 40-70m strip to the west of phases H5 and H6 and this has also resulted in less developable land. However it is considered that whilst the net developable area of B1 is less than the gross (this is typical of a Local Development Plan allocation) and on the basis of the information submitted by the development interest here there is not a sufficient basis to establish that additional land is required to make a golf course and associated development viable.

However it is considered that some extra flexibility in the associated uses should be afforded to improve the marketability of a golf course development. Therefore the B1 site supported in the Plan should accord with the 2005 outline planning permission, and RACE Local Plan in terms of the extent of the land allocation. However with regard to the uses that should be supported it is considered that this site should be allocated for a golf course linked to leisure, tourism, and business uses. However the business use will also be predicated on the golf course development. In the event of no formal detailed application coming forward for the golf course the land should continue to be farmed, as per the Section 75 agreement on the planning permission. SNH also request a developer requirement for great crested newt species survey and this is agreed and it is also recommended that this is reflected in the Plan.

Recommended Proposed Plan Content:

The following consideration of sites sets out some of specific developer requirements however this is not a complete list of the developer requirements, a full list will be developed and presented in the Proposed Plan and associated documents.

Retain H1 from MIR, but amend to identify for Mixed Uses (Commerce, Housing, and Community), requirements to reflect the most notable provisions of the 2008 extant permission

Retain the following site from the MIR, B1 but contract boundary to accord with the extant permission, requirements as per H1, but uses widened to include business

Remaining MIR sites and suggested new sites are not retained/recommended for inclusion

Issue	Seaboard Villages	
MIR reference:	7.34	
List of persons and organisations who submitted comments (including reference number):		
Greg Hay (00377), Mr John MacIntosh (00994), Mr Kenneth Mackenzie (00694), Nigg & Shandwick Community Council (00313), Scottish Environment Protection Agency (00523), Scottish Natural Heritage (00204), The Scottish Government (00957)		
Summary of comments received:		
<p>Sites</p> <p><u>H1</u> Respondent thinks site H1 is unnecessary in the present climate.</p> <p>Concern over loss of farmland.</p> <p>Considered a poor site as it is a small area constrained by steep banking to the west and existing dwelling houses and gardens to the east; access is poor and the site has remained undeveloped since it was sold for development in the 1970s.</p> <p><u>H2</u> Attractive housing site;</p> <p>good road access;</p> <p>views over Moray Firth</p> <p><u>H3</u> Reasonably attractive housing site</p> <p>May be required in the near future for the erection of a new school and playing fields as other local schools are expected to close due to falling school rolls.</p> <p><u>H4</u> Negative impact that the respondent considers an allocation for development would have on the value of existing semi-remote houses in the area and on the ability to sell such existing properties.</p> <p>Appears to be consensus for supporting development on smaller development on this site.</p> <p>Responds to demand for housing sites in the villages. No intention of selling to a developer for inappropriate housing but would welcome opportunity to consider options for making use of land owned around the villages which would have a positive impact on the community.</p>		

Suggests a reduced area to be considered for housing.

No prime agricultural land will be lost and historic and natural assets will not be compromised

Historic Scotland (HS) welcome the recognition within the Main Issues Report of the potential significant impacts associated with this housing allocation on the scheduled monument Hilton of Cadboll, chapel 500m NNW of (Index no. 90320) (also a Property in Care of Scottish Ministers). In light of this HS welcome that the allocation is not preferred by the Council.

H5

Support the non-preferred status of site H5 (and of the adjacent site H4). They should remain non-preferred for the foreseeable future and beyond. Stated reasons include the negative impact that the respondent considers an allocation for development would have on the value of existing semi-remote houses in the area (including their own) and on the ability to sell such existing properties.

Appears to be consensus for supporting development on smaller development on this site.

Responds to demand for housing sites in the villages. No intention of selling to a developer for inappropriate housing but would welcome opportunity to consider options for making use of land owned around the villages which would have a positive impact on the community.

Suggests a reduced area to be considered for housing with limited extension to existing group of dwelling houses similar to many other groups of housing in the area, for example Rockfield, Bogbain Road, Cadboll Road etc.

No prime agricultural land will be lost and historic and natural assets will not be compromised

H6

Responds to demand for housing sites in the villages. No intention of selling to a developer for inappropriate housing but would welcome opportunity to consider options for making use of land owned around the villages which would have a positive impact on the community.

Suggests H6 to be considered for mixed use with potential for housing and business development. Business use would be appropriate as a warehouse used by Glenmorangie distillery lies adjacent to the site and the site is enclosed by woodland to the north and east.

H7

Responds to demand for housing sites in the villages. No intention of selling to a developer for inappropriate housing but would welcome opportunity to consider options for making use of land owned around the villages which would have a positive impact on the community.

No prime agricultural land will be lost and historic and natural assets will not be compromised.

Suggests H7 to be considered for mixed use with potential for housing and business development.

Flat site of marginal agricultural quality which could have an amended site area to leave a good corridor of vision from the road to the Pictish Cross Slab.

H8

Development of the site should be supported by a Flood Risk Assessment in the form of a Topographical survey to compare development to Coastal Flood level of 3.28m AOD.

A buffer of greenspace should be retained around watercourses.

Responds to demand for housing sites in the villages. No intention of selling to a developer for inappropriate housing but would welcome opportunity to consider options for making use of land owned around the villages which would have a positive impact on the community.

No prime agricultural land will be lost and historic and natural assets will not be compromised.

Suggests that the site shown is split in two with some retained as agricultural use and the rest retained as housing or holiday home development as it follows the natural spread of the existing settlement along the coastline. Landowners suggests sensitive development of this area would improve the current state of the site and create an attractive addition to the villages.

MU1

Support for small business development on this site to complement existing business premises nearby and because it is within active travel distance of the villages.

Housing is not an appropriate use.

MU2

Suggested that the landowner does not want to release the site for development. This will have an impact on availability of housing in the settlement.

MU3

Would like to have a safeguard around the oil pipeline.

Development of the site should be supported by a Flood Risk Assessment in the form of a Topographical survey to compare development to Coastal Flood level of 3.28m AOD.

A buffer of greenspace should be retained around watercourses.

Site suited to quality housing development and/or holiday accommodation.

Good access to main road, village and the beach.

ALTERNATIVE SITES AND USES

Please note that the names and reference numbers for comments submitted on this specific consultation are not listed in this document.

Through the consultation on the Main Issues Report further sites have been submitted to the Council for inclusion in the Local Development Plan. Consultation on these additional sites took place between April and July 2013. The following are the comments which were received during that time.

NS91 – Cadboll Farm

A change in site type was proposed by the landowner. No comments were received.

OTHER ALTERNATIVE SITES AND USES

The following sites were suggested in representations but were not consulted upon as part of the formal alternative sites and uses consultation. This was due to scale of the proposed site.

East of Shore Street

Proposed site for house plots and shared amenity area at Shandwick on part of amenity area safeguard notation because: land better suited for residential development; some amenity space could be retained closer to the shore, and; development would be sympathetic to existing settlement pattern.

Council's summary of responses to comments:

Sites

H1

This site has planning permission for 9 serviced house plots and associated access improvements.

Approximately half of the site which is proposed for development can be considered Prime Agricultural Land. While this is the case it is not currently farmed and has not been for a number of years.

It is considered that the surrounding uses and landforms do lend themselves to a level of housing development commensurate with the planning permission on the site. However, given the scale of the proposed development it is not proposed that this site is allocated for development but the site is retained within the settlement development area to facilitate development on the site.

H2

This site has Planning Permission for 13 houses and formation of a play area.

It is proposed that the site is allocated in the plan commensurate with the planning permission for the site.

H3

This site has planning permission for 38 houses including 10 affordable houses.

With regard to comments made related to the need for a new school, at this time Hilton of Cadboll Primary School is currently under capacity and is projected to be as such in the medium to long term, even when all potential development in the Seaboard Villages is brought forward. Therefore, in the lifetime of this plan a new school site is not a requirement in the Seaboard Villages.

It is proposed that the site is allocated in the plan commensurate with the planning permission for the site.

H4

The impact on private interests, such as decrease in property value, as a result of development is not a material planning consideration.

While a reduced area for housing would be more appropriate on this site, however, it is still likely to have some impact on the setting of Hilton of Cadboll Schedule Monument.

Due to the buffer created by any safeguard of the Schedule Monument the site would be visually and physically detached from the settlement. In the Local Development Plan sites are not being allocated outwith Settlement Development Areas in order to consolidate the existing settlements prior to expansion. If this proposal was to be brought forward in isolation then it would be assessed using the policies of the Highland-wide Local Development Plan.

For the reasons set out above and due to there being sufficient housing land identified in the area it is proposed that this site is not allocated in the proposed plan.

H5

The impact on private interests, such as decrease in property value, as a result of development is not a material planning consideration.

In the Local Development Plan sites are not being allocated outwith Settlement Development Areas in order to consolidate the existing settlements prior to expansion. If this proposal was to be brought forward in isolation then it would be assessed using the policies of the Highland-wide Local Development Plan.

For the reasons set out above and due to there being sufficient housing land identified in the area it is proposed that this site is not allocated in the proposed plan.

H6

The mix of uses proposed is, in principle, supported however, in the Local Development Plan sites are not being allocated outwith Settlement Development Areas in order to consolidate the existing settlements prior to expansion. If this proposal was to be brought forward in isolation then it would be assessed using the policies of the Highland-wide Local Development Plan.

For the reasons set out above and due to there being sufficient housing land identified in the area it is proposed that this site is not allocated in the proposed plan.

H7

The site is identified as prime agricultural land and given it's location on the edge of the settlement it is not considered that it is key to the spatial strategy, thus allocation on this land would not accord with Scottish Planning Policy in relation to development on agricultural land.

Development on this site is not considered acceptable, at this time. Given the location of the site and the potential means of access it would mean that the site would not enable permeable connections to the existing settlement. With an amended boundary to reduce impact on the Shandwick Stone and a mix of uses rather than solely housing it is considered more acceptable than the previous suggested uses and scale of the site. While that is the case there are other sites in the Seaboard Villages which should be brought forward first to help consolidate the settlement and make a better contribution to the sense of place.

For the reasons set out above and due to there being sufficient housing land identified in the area it is proposed that this site is not allocated in the proposed plan.

H8

It is acknowledged that development along the coast follows the traditional pattern of development in the Seaboard Villages, however this has been traditionally on the landward side of the road with some development in recent times being on the seaward side.

The suggestion to reduce the developed area of the site and leaving part of the site in agricultural use is welcomed. Much of the site is identified as prime agricultural land and given it's location on the edge of the settlement it is not considered that it is key to the spatial strategy, thus allocation on this land would not accord with Scottish Planning Policy in relation to development on agricultural land.

If this site were to be allocated it will be subject to developer requirements related to Flood Risk Assessment which would include the need for a Topographical survey to compare development to Coastal Flood level of 3.28m AOD. There are some small watercourses in the site and therefore a buffer of greenspace will be required around them as per the Flood Risk and Drainage: Supplementary Guidance. Due consideration would also have to be given to the proximity of historic environment features on the site.

For the reasons set out above and due to there being sufficient housing land identified in the area it is proposed that this site is not allocated in the proposed plan.

MU1

Development on this site is generally supported to support the neighbouring uses on this site and to provide employment within active travel distance of the settlement.

It is accepted that housing on this site would not be a suitable use given the proximity to some of the uses/potential uses in existing industrial estate.

It is proposed that the site is allocated as a business site and combined with site I1 to allow expansion of the light industrial uses of the existing industrial estate.

MU2

We have had no confirmation from the landowner of their intentions to develop this site or otherwise.

There are a number of constraints to development of this site including proximity to overhead powerlines and the need for investment in infrastructure. However, it is not considered that these constraints are insurmountable and development of this site could progress in the short to medium term if a proposal for development was brought forward. Development would enable the consolidation of the settlement and make contribution to the sense of place by having a development that is well connected to the rest of the settlement.

It is proposed that this site is allocated for housing use only in the proposed plan and the concerns raised can adequately be addressed through developer requirements.

MU3

The oil pipeline is located to the southern end of the site. If allocated it would be a key consideration for any development on this site. The oil pipeline and the associated policies with regard to safeguarding can be found in the Physical Constraints Supplementary Guidance.

If this site were to be allocated it will be subject to developer requirements related to Flood Risk Assessment which would include the need for a Topographical survey to compare development to Coastal Flood level of 3.28m AOD. There are some small watercourses in the site and therefore a buffer of greenspace will be required around them as per the Flood Risk and Drainage: Supplementary Guidance.

It is proposed that this site is allocated for a mix of tourism uses and housing in the proposed plan and the concerns raised can adequately be addressed through developer requirements.

ALTERNATIVE SITES AND USES

NS91 – Cadboll Farm

As no further comments were raised through the additional sites consultation please see response to H5.

OTHER ALTERNATIVE SITES AND USES

East of Shore Street

It is considered that this site could be brought forward through a planning application. Given the size of the site it does not fit with the strategy for only identifying major areas for change in the Local Development Plan. Any application could be adequately determined using the policies of the Highland-wide Local Development Plan.

Recommended Proposed Plan Content:

- In summary, the following MIR sites are retained:
H2, H3, MU3
- The following sites are retained but with modified use/boundary
MU1/I1, MU2

- Remaining MIR sites and suggested new sites are not retained / recommended for inclusion

Issue	STRATHPEFFER
MIR reference:	MIR 7.35
List of persons and organisations who submitted comments (including reference number):	
Andy Wilcox And Caroline Rham (00752), Bob And Lynne Robertson (00978), F. Munro (01281), Mr Alastair Dunbar (01015), Mr Charlie And Sonia Ramsay (00894), Mr Colin Ross (01276), Mr Duncan MacGregor (01294), Mr George Baxter Smith (00654), Mr Kit Bower (00754), Mrs Pamela Bogan (00670), Ms Margaret Levy (01280), Scottish Environment Protection Agency (00523), Scottish Natural Heritage (00204), Sheena Clark (00240), Simon Bates (00376), Strathpeffer Community Council (00321), The Castle Leod Maintenance Trustees (00607)	
Summary of comments received:	
GENERAL ISSUES RAISED	
<i>Species Surveys</i>	
Requirement for settlement-wide developer requirement for Great Crested Newt species surveys where development is proposed close to a water body.	
<i>General Development Considerations</i>	
There are limited expansion opportunities within Strathpeffer due to natural and built heritage constraints in all directions. Concerned that Strathpeffer is becoming a commuter village. Must take into account setting of the village and its presentation to visitors.	
Affordable housing is a main requirement in the village; but this must be delivered as part of private developments.	
<i>Allocation Land for Business/Tourism/Retail Use</i>	
Greater emphasis should be given to local employment opportunities rather than concentrating on housing requirements.	
Landowner is willing to provide land and promote a business/tourism/retail allocation north of railway. Community Council support appropriate office/light industrial development at this location as it would bring potential for employment opportunities to village residents and increase the number of visitors to the village.	
No flood risk assessment required.	
<i>Previous Local Plan Allocations</i>	
Allocation in Ross and Cromarty East Local Plan at Strath View poor due to access and visual impact.	

Objectives

No consultation on village objectives taken place, for example exploiting village potential.

Allocation Of Land At Primary School Playing Field For Children/Youth Activities

Allocate land at top of primary school playing field for children/youth activities.

Settlement Proposals Map

Show Strathpeffer Conservation Area on settlement map so that development that could visually compromise the area can be identified.

Centre of Strathpeffer should remain within a clearly defined valley to allow it to retain its visual integrity.

Infrastructure

Consider significant drainage issues remain in Strathpeffer, these must be addressed before additional development can be supported.

Natural Heritage

Loch Kinellan and the wider Kinellan area supports Slavonian Grebes which are a rare species; any impacts must be taken into account when considering development opportunities.

Village Centre

Additional retail space and approximately 50 parking spaces are required in the village centre.

SETTLEMENT DEVELOPMENT AREA

Settlement boundary is replicated from Ross and Cromarty East Local Plan and does not represent the true village boundary.

SITES

B1 – Preferred in MIR

Support for business/tourism development on this site, has potential to give village commercial ‘heart’. Welcome reopening of station as a visitor facility.

H1 – Preferred in MIR

There was some objection to the allocation of this site for the following reasons:

- Impact upon ancient woodland that is protected by national and local policy, particularly due to proposed road access

- Affordable housing may not be provided on site
- Negative visual impact towards the Heights
- Lack of active travel connections
- Vehicular access to the north will encourage commuting and discourage community integration
- Settlement boundary should be to the south of H1

In particular SNH were concerned as site is bounded on two sides by woodland within the Ancient Woodland Inventory and access is proposed to be taken through this woodland. Such woodland is protected by national and local policy. They asked that should the site be allocated alternative access routes should be considered in the first instance. Failing this public benefits of the development must be identified; as many trees as possible must be retained. SNH also note that a species survey will be required as well as compensatory planting.

Should the site be allocated a request was made for the provision of green buffer between the site and Strathpeffer Conservation Area.

The developer of the site explained that the inclusion of an indicative access route to the north of the site had been discussed with the Council's Forestry Officer. A draft site layout was submitted with this representation that showed an indicative site capacity of 40-50 units. This included a range of house types and open space.

H2 – Preferred in MIR

Some concerns were raised with regards to the allocation of this site. In particular about the about the proximity of the site to a protected species (Slavonian Grebe) breeding site (Loch Kinellan) and therefore the potential adverse effect on species via recreational disturbance and/or reduction in water quality. SNH required that if the site is retained that a rigorous HRA check is required to check its impacts any required mitigation is included as a developer requirement in the plan.

H3 – Preferred in MIR

There was support for the allocation on this site provided the remainder of the site is well designed given its prominence and potential impact upon the conservation area.

H4/H5 – Non-Preferred in MIR

There was support for the Council's non-preference of these sites for the following reasons:

- Negative visual impact
- Existing access road is inadequate due to width and visibility
- Drainage is unsatisfactory

There was support for the sites to be allocated for the following reasons:

- Affordable housing will be provided that will help retain young families and support the local school
- No impact upon Castle Leod Designed Landscape

- Sites form continuation of previous development
- Other allocated sites have access issues and therefore H4 and H5 should be considered as alternatives

H6 – Preferred in MIR

There was some objection/concerns regarding this site for the following reasons:

- Drainage issues need addressed prior to any development taking place
- Drainage issues can be dealt with as part of the drainage strategy for the site but will need careful consideration in conjunction with the Council
- Major investment in surface water required to allow development to proceed
- Concern existing drainage issues are due to poor maintenance and therefore should not be for the developer to rectify as part of a new development

The following comments were made in support of the site:

- Drainage impact assessment will be undertaken and SUDs incorporated on site
- Site is well located close to the medical centre, community centre, open space, sport pitches, play area and primary school
- Minor visual impact on landscape, particularly in comparison to alternative sites, any impact can be mitigated through planting and sensitive positioning of new buildings
- Any impact on trees protected by a Tree Preservation Order will not be significant

In increase the housing density of the site was requested in comparison to the Ross and Cromarty East Local Plan as this would make more sustainable use of land and would provide flexibility to provide affordable or smaller homes to meet local needs.

Concern was also raised with regards the amount of money the Council has requested for use of the road verge at Kinellan Drive to access site. It is felt that if the Council relaxes its position on the amount requested for the access affordable housing can be delivered earlier. It was also stated that a result of this alternative access solutions are being explored.

H7 – Non-preferred in MIR

The landowner explained that the site is now being promoted for commercial (including agricultural education activity centre) and residential use including affordable housing and a residential retirement home. It is explained that these uses would create employment and increase the tourist offer in the area. The landowner is happy to consider reducing the size of the site to fit with the access road and infrastructure requirements.

A significant number of objections were raised to the potential allocation of this site for the following reasons:

- Contrary to preferred other settlements policy in the MIR
- Constitutes large scale housing development in the countryside
- Highly intrusive and inappropriate expansion to Jamestown
- Other preferred sites in Contin and Strathpeffer relate better to these settlements and provide adequate land supply to accommodate land for growth
- Development should be focussed in Contin and Strathpeffer as expansions of these

settlements is more sustainable as they have a range of services and facilities

- Is superfluous and stretch infrastructure too far
- Outside any settlement boundary
- No support from community of Jamestown
- Proposal for alternative site uses lack detail
- Concern about visual and social integration with the existing village
- Relocated access would not be deliverable as it would rely on land acquisition from numerous property owners
- Jamestown should be retained as a unique hamlet and not a sprawling housing estate
- Negatively impact those who have chosen to a quiet semi-rural lifestyle
- Road infrastructure to access Jamestown and within Jamestown is already inadequate due to dangerous bends, visibility splays, lack of pavements, excessive traffic speeds and road safety, particularly for children accessing school transport
- Expansion unsustainable due to lack of services and facilities in Jamestown
- Lack of public transport means that most movements would be made by car
- Mixed use may have a more significant visual impact on the landscape and detract from the juxtaposition of houses on the natural western boundary
- Improved footpath connections to Contin would be of little benefit as the existing community uses Strathpeffer as its main service centre
- A burn that runs through the site adjacent to the dyke, and a seasonal burn is on the west perimeter
- Loss of good agricultural land

SEPA required that if the site was to be allocated a flood risk assessment would be required to support any planning application if development encroached the watercourse.

Council road officers have confirmed that the allocation of the site could provide the opportunity for a safer access into Jamestown in lieu of the existing access.

ALTERNATIVE SITES AND USES CONSULTATION

Please note that the names and reference numbers for comments submitted on this specific consultation are not listed in this document.

Allocation of Land Between H2 and H6 – Preferred in New Sites Consultation

Support for the allocation of the site for the following reasons:

- Sits between two areas allocated for housing
- This land is required for access between H2 and H6
- Will not affect setting of a nearby C Listed Building
- Would naturally round off village boundary
- No infrastructure capacity or connection issues
- Limited landscape and visual impact
- No affect on woodland
- No ransom issues
- Design would be appropriate to Strathpeffer's architectural identity
- Development would replicate Kinellan Farmhouse's formers stable block which was previously sited it its rear

- Site slopes down and therefore would have a minimal impact on all existing housing in the surrounding hamlet
- Landowner jointly purchased Loch Kinellan for the purpose of maintaining its principal role as wildlife habitat
- Increase in number of Slavonian Grebes on Loch Kinellan has coincided with a significant rise in the number of houses developed in the hamlet
- Currently 10 houses are situated closer to Loch Kinellan than the proposed site
- The number of visitors driving to Kinellan to walk or cycle around the loch outnumbers the number of local residents who use it for amenity
- Unlikely that further development on this modest piece of ground would adversely affect the expansion of the grebe population
- Applicants would keen to contribute to any proposals to support the preservation of the loch's ground nesting birds.

Objection to the allocation of the site were raised for the following reasons:

- For reasons detailed in the original response from Strathpeffer Community Council regarding sites H2 and H6
- Existing village drainage system is at or beyond capacity
- Development will result in increase run off
- No Hydrological survey showing there is sufficient drainage capacity has been undertaken
- Additional development area is only to obtain access onto the public highway contrary indications which suggested that access would be onto Kinellan Drive through H6 on its southern boundary
- Once established the pressure to develop H2 and H6 will be incremental, ignoring the fundamental need to address the drainage issue any further development in the H2 and H6 area is permitted
- Do not agree 'pro' of the site is that it is allocated in the soon to be superseded Ross and Cromarty East Local Plan
- Understood IMFLDP was a re-evaluation of planning requirement and not a second re-hash of the old local plan
- No mention of requirement for integrated low cost housing

SNH have raised concerns regarding the proximity of the site to Loch Kinellan where Slovenian Grebes breed. There is a requirement to ensure no adverse impact, both alone and in combination with other potential housing, i.e sites H2 and H6 in the MIR. The plan should include a requirement for a species survey (including for Slovenian grebe and Great crested newt), plus a Protection Plan, which should include recreation management to avoid disturbance.

Concern was also expressed regarding usability of software, for example lack of printing function. Also concerned due to lack of publicity for those likely to be affected in Kinellan Drive.

East of Rail Station – Non-preferred in New Sites Consultation

Strathpeffer Community Council make reference to their original submission to the MIR which raised concern regarding the plans focus on housing requirements. They requested that there was greater emphasis in the plan for local employment opportunities.

In considering the site to the east of the rail station the community council continue to believe that opportunities for employment in the village are important and feel that the 'cons' of the site can be overcome, albeit with tight planning conditions. As such they do not agree with the recommendation to not favour this proposal.

OTHER ALTERNATIVE SITES AND USES

The following sites were suggested in representations but were not consulted upon as part of the formal alternative sites and uses consultation. This was due to scale/type of uses of proposed and/or the potential effectiveness of site.

Request for allocation of Land at Primary School Playing Field for Children/Youth Activities.

Council's summary of responses to comments:

GENERAL ISSUES RAISED

Species Surveys

A requirement for species surveys, including reptiles and great crested newts, will be included in the settlement text for Strathpeffer

General Development Considerations

It is agreed that there are limited expansion opportunities in Strathpeffer due to natural and built heritage constraints and that the plan must take into account the setting of the village and its presentation to visitors. This will be recognised in the settlement text for Strathpeffer and by the allocation of a single housing expansion site.

Requirements for affordable housing in the village are noted. Affordable housing will be required as part of development proposals for all proposals in excess of 4 units, consistent with the Council's Supplementary Guidance on Developer Contributions. The council's as stated in the supplementary preference is for affordable housing to be provided on site and integrated with private housing.

Allocation Land for Business/Tourism/Retail Use

Given the size of Strathpeffer, limited expansion opportunities and its relatively close proximity to employment centres such as Dingwall and Inverness it can be expected that many residents will commute out of Strathpeffer for employment purposes. Notwithstanding this, there are some local employment opportunities within Strathpeffer, particularly in the hospitality and tourism sectors. Whilst the desire for the creation of local employment opportunities is supported, there is a lack of suitable sites in the village for this use. Furthermore Strathpeffer lies outwith the two growth corridors where strategic business growth is directed to in the plan. The Community Council's and landowners support for the allocation of a site for business use to the east of the railway station is considered further in the New Sites section of this document.

Previous Local Plan Allocations

Concerns regarding the visual impact and poor access to the now complete Ross and

Cromarty East housing allocations at Strath View are noted. No further development at this location is supported by the plan.

Objectives

Concern regarding no consultation on objectives for Strathpeffer is noted. However given the size of the plan area it would be too resource intensive for the Council to consult within every community to establish objectives for individual settlements. Notwithstanding this, the Council has now broadened the scope of the early plan preparation period to include to a 'Call for Sites and Ideas' exercise rather than being limited to 'Call for Sites'. Provided this approach is valuable in the preparation of the Caithness and Sutherland Local Development Plan it will also be used in the preparation of future plans. This will allow communities to communicate objectives for their settlements for consideration by the Council at an early stage.

Strathpeffer Inset Map

It is not considered necessary to show conservation area boundaries on settlement inset maps unless their boundaries are proposed to be edited as part of the plan process. Whilst it may be beneficial to the reader for the conservation area to be shown, this raises issues with no showing other constraints within settlements, for example listed buildings, designed landscapes, scheduled monuments etc. The presence of a conservation area in Strathpeffer is emphasised in the settlement text in plan and the boundaries are shown on a dedicated conservation area webpage on the Council's website. The settlement text for Strathpeffer will also provide a hyperlink to the council's conservation area webpage to direct the reader to the conservation area maps.

In the settlement hierarchy in the plan Strathpeffer is identified as a local centre. Scottish Planning Policy only requires local development plans to define town centres.

Infrastructure

There are known to be issues with surface water drainage in Strathpeffer. The plan text for Strathpeffer will require this to be considered in the delivery of future development.

Natural Heritage

SNH have confirmed that Loch Killellan supports Slavonian Grebes which are a protected species. This must be given regard in the proposals for sites supported for development on the west side of the village. Further detail on these requirements is provided in the commentary for sites H2, H6 and the 'new site' between H2 and H6.

Village Centre

The plan does not identify any additional retail or space for parking within the village centre. This is due to the limited availability of effective sites for these purposes. However as the village centre lies within the settlement development area, should suitable sites come forward in the future for these uses the development of them would be supported in principle by Policy 34: Settlement Development Areas of the HwLDP.

SETTLEMENT DEVELOPMENT AREA

The settlement development area is drawn to reflect the built up area of the village and any supported expansion areas. Whilst the settlement boundary is similar to that shown on the Strathpeffer inset map in the Ross and Cromarty East Local Plan it has been reviewed to reflect the most up to date position.

SITES

B1 – Preferred in MIR

Support for this site for its proposed uses is noted. Its allocation for business/tourism use in the plan is continued to be supported.

H1 – Preferred in MIR

Site H1 lies directly adjacent to the northern boundary of Strathpeffer and the boundary of its Outstanding Conservation Area. Much of the site is surrounded by woodland within the Ancient Woodland Inventory. The site was allocated for 15 units in the Ross and Cromarty East Local Plan; the Strathpeffer Inset map indicated that access would be taken via Nutwood House/Cottage.

It is now understood that the potential access identified in the Ross and Cromarty East Local Plan is unsuitable given its proximity to Nutwood House and other residences and due to concerns the adverse impact that the formation of the necessary junction onto the main Strathpeffer road would have on the existing mature tree avenue. As such an alternative access has been suggested by the landowner's agent. A plan submitted accompanying the representation illustrates a new access to the north of the Nutwood House access that links to the site at its northern boundary. A further plan also provided an example site layout which indicated a site capacity of 40-50 units. This would require part of the access to be formed through the stands of ancient woodland that bound the site. SNH raised concerns about this, requesting that alternative access routes should be considered; and failing this, there must be public benefits of the development and as many trees as possible must be retained.

Given the history of the site and the potential impact upon the ancient woodland it was also felt necessary to consult with the Council's Forestry Officer. The Forestry Officer provided details of correspondence with the landowner's agent to date and gave advice on the current access proposal. He explained that the woodland which will be affected is listed in SNH's Inventory of Ancient Woodland as 2a Long Established Woodland of Semi-Natural Origin. This means that it appears as woodland on the first edition Ordnance Survey maps dating back to the 1860's. Policy 57: Natural, Built and Cultural Heritage of the HwLDP considers this to be an important heritage feature of national importance. Section 146 of Scottish Planning Policy published in February 2010 states that: Ancient and semi-natural woodland is an important and irreplaceable national resource that should be protected and enhanced, as should other native and long established woodlands with high nature conservation value. Given the scale of development now proposed, the Forestry Officer considered that it is unlikely that the Council could support a road in the location proposed. The Forestry Officer also had significant concerns over the impact that this scale of development will have on the mature trees surrounding the site and the lack of open space within the site.

Given the concerns raised by SNH and the Council's Forestry Officer regarding inconsistency of the proposal with the HwLDP and Scottish Planning Policy, and the absence of any evidence explaining public benefits of the scheme this site cannot be supported in the plan. Furthermore, consistent with concerns raised in a representation to the site, there are concerns about the accessibility of the site by a choice of transport options and its potential to integrate with the existing village. Due to the presence of existing development there are very limited options to create direct active travel connections into the village. The most direct active travel link is via the Nutwood House access then south using the path at the Clach an Tiompain Ancient Monument. This path connection is very narrow in parts and does not completely reflect desire lines. As such this is likely to result in high levels of unsustainable travel movements to and from the site. Furthermore the site is not required to meet the housing land requirement in the part of the Wester Ross Housing Market Area that lies within the plan area; other, more suitable sites elsewhere have been identified to meet the requirement. For these reasons the site is not supported in the plan. Other issues raised in representations to the site are noted.

H2 – Preferred in MIR

Concerns regarding the proximity of this site to a protected species (Slavonian Grebe) breeding site (Loch Kinellan) are noted. It was not possible to consider the site in the context of the plans Habitats Regulation Appraisal as Loch Kinellan is not a designated Natura site. Notwithstanding this, plan will incorporate the following requirements as recommended by SNH: species survey species survey (including for Slovenian grebe and Great crested newt), plus a Protection Plan, which should include recreation management to avoid disturbance. These requirements will address any potential impact on the protected species.

To allow for a comprehensive master planned approach to the development of the site H2 has been merged with site H6 and the new site between H2 and H6 in the plan.

H3 – Preferred in MIR

Support for this allocation subject to detailed design matters is noted. However given that much of the site is now complete it is no longer considered necessary for the site to be identified in the plan. This allocation has therefore been removed.

H4/H5 – Non-Preferred in MIR

Sites H4 and H5 lie at the north east of Strathpeffer, adjacent to recent housing development at Strath View. The sites were not supported for housing in MIR largely due to access constraints and visual impact. These are reasons that are also cited in representations to the site as well as unsatisfactory drainage.

With regards to the provision of affordable housing, this is a requirement of all housing developments of 4 or more units as per the Council's Developer Contributions Supplementary Guidance. Whilst it is accepted there is a need for affordable housing in Strathpeffer, as the housing land requirement for the part of the Wester Ross Housing Market Area that lies within the plan area is satisfied through the allocation of housing sites elsewhere not is not considered sufficient justification for the allocation of the sites.

The Castle Leod Designed Landscape lies approximately 700m north of the proposed sites. SNH considered at the Call for Sites stage of the plan that owing to the sites elevated position in the landscape it is likely they would impact views from the Designed Landscape. SNH made this comment during the Call for Sites exercise for the plan.

In terms of the site forming a continuation of previous development, this is not considered to be a worthy justification for the allocation of the sites. Extending development further up the hill slopes at this location would contrast to the landscape character and setting of Strathpeffer. Furthermore recent 'cul-de-sac' type development at Strathview is not consistent with the Scottish Government policy document Designing Streets which promotes permeable development layouts. Taking into account the form of the sites currently being promoted and the form of recent development options for creating a site layout consistent with Designing Streets appear to be limited.

In terms of other allocated site having access issues and therefore allocating H4 and H4 as alternatives it is accepted that the creation of an access to the housing site intended to be allocated in Strathpeffer at Kinellan is challenging given landownership and tree issues. However these challenges are not insurmountable and it is therefore it is not necessary allocate sites H4 and H5 as alternatives.

H6 – Preferred in MIR

In terms of any drainage issues associated with the site there are known to be issues with surface water drainage in Strathpeffer. The plan text for Strathpeffer will require this to be considered in the delivery of the site. As per the Council's Flood Risk and Drainage Impact Assessment Supplementary Guidance a drainage impact assessment will be required to support any planning application on the site. The ponding issue raised by SEPA should be considered within any drainage impact assessment in conjunction with the Council. Surface water will be required to be dealt with by means of sustainable urban drainage.

The comments made in support of the site are noted; suggested mitigation measures, where appropriate, will be incorporated into requirement for the site in the plan.

All site capacities in the Ross and Cromarty East Local Plan have been reviewed with a view to promoting the effective use of land. As such the indicative capacity of this site and related site H2 has been increased to 67.

Concerns regarding the amount of money the Council has requested for use of the road verge at Kinellan Drive for access to the site are noted. This is private land transaction between the landowner and the Council and is not a material planning consideration.

To allow for a comprehensive master planned approach to the development of the site H2 has been merged with site H6 and the new site between H2 and H6 in the plan.

H7 – Non-preferred in MIR

The landowner's response to the MIR explains that she now wishes to promote the site for commercial and residential use rather than solely housing. Reference is made to the

development of an agricultural education centre on the site which would provide employment and increase the tourist offer in the area.

A significant number of representations supported the Council's preference for non-inclusion of this site in the plan. Jamestown is neither identified as a 'main settlement' or 'other settlement' in the MIR. It is not identified as a 'main settlement' due to its small size; and not identified as an 'other settlement' as it has no community or commercial facilities which could be accessed by means of active travel or sustained by allowing further development. Allocation of the site would be inconsistent with the Vision and Spatial Strategy for the plan area. Other, alternative sites are more suitable on the basis that they are located within existing settlements close to centres services and facilities and would have lesser landscape impact. It would therefore not be appropriate in the context of the plan to make any allocations in Jamestown. Rather, any future developments at Jamestown would be considered at planning application stage in the context of Policy 35: Housing in the Countryside (Hinterland Areas) and associated supplementary guidance of the Highland-wide Local Development Plan. This policy supports the expansion of housing groups subject to meeting detailed criteria outlined in the supplementary guidance. Furthermore the site is not required to meet the housing land requirement in the part of Wester Ross Housing Market Area that lies within the plan. Other detailed matters raised in representations are also relevant for the exclusion of this site from the plan.

Whilst it is accepted that Council Road Officer's have confirmed that the allocation of the site could provide the opportunity for a safer access into Jamestown in lieu of the existing access it is not considered that the development plan is the appropriate mechanism to secure any relocation of the access in the absence of any opportunity to support the sustainable expansion of the settlement.

In terms of tourism use on the site, Policy 43: Tourism of the HwLDP presumes in favour of tourism development subject to a number of criteria including scale and economic contribution to the area. Given that the proposals are not envisaged to be of strategic importance it is not considered to merit the inclusion of a specific allocation in the plan; rather should a planning application be received in the future it would be determined on its merits.

ALTERNATIVE SITES AND USES CONSULTATION

Please note that the names and reference numbers for comments submitted on this specific consultation are not listed in this document.

Allocation of Land Between H2 and H6 – Preferred in New Sites Consultation

This is small site that lies between sites H2 and H6. It is allocated in the Ross and Cromarty East Local Plan as part of a larger allocation at Kinellan. In considering the representation received from the landowner in response to the absence of the site in MIR it is now considered it would be appropriate to allocate the site as part of a larger master planned development encompassing sites H2 and H6.

It is noted that the landowners requested the reinstatement of the site and an expansion of it to include the whole triangular field (west of the existing allocation to the curtilage of Kinellan Farmhouse). It was not felt appropriate to support the larger allocation due to the

potential impact on the setting of Kinellan Farmhouse which is a C listed building, to avoid coalescence with the nearby houses at Kinellan and to allow for a tree belt to be planted that would create a defensible settlement boundary. On this basis the area which replicates the Ross and Cromarty East Local Plan allocation continues to be supported.

Concerns regarding the proximity of this site to a protected species (Slavonian Grebe) breeding site (Loch Kinellan) are noted. The plan will incorporate the following requirements as recommended by SNH: species survey species survey (including for Slovenian grebe and Great crested newt), plus a Protection Plan, which should include recreation management to avoid disturbance. These requirements will address any potential impact on the protected species.

Responses are provided below to the issues raised in objections to the allocation of the site.

In terms of any drainage issues associated with the site there are known to be issues with surface water drainage in Strathpeffer. The plan text for Strathpeffer will require this to be considered in the delivery of the site. As per the Council's Flood Risk and Drainage Impact Assessment Supplementary Guidance a drainage impact assessment will be required to support any planning application on the site. The ponding issue raised by SEPA should be considered within any drainage impact assessment in conjunction with the Council. Surface water will be required to be dealt with by means of sustainable urban drainage.

With regards to access, as with the Ross and Cromarty East Local Plan access will be required to be taken from the south corner of Kinellan Drive and not from the northern corner of Kinellan Drive which will be used as a pedestrian access. Whilst the allocation of the site will allow for a properly master planned development and facilitate the permeability of the site it is not directly related to access onto the public highway.

In the process of preparing the plan sites contained in the Ross and Cromarty East Local Plan were reviewed as well as new sites suggested to the Council during the 'Call for Sites' exercise.

There is no mention of integrated low cost housing as this is a requirement of the Council's Developer Contributions Supplementary Guidance. In the interests of preparing a concise, map based document it is felt there is limited value to replicating requirements that are already contained within supplementary guidance.

With regards to the usability of the software the Council received several enquiries from users experiencing similar problems. The use of this software was a pilot exercise, it is unlikely to be used again in its current form. In terms of lack of publicity, the new sites consultation was advised in the local press, community councils were informed as well as all those who had participated in the plan to date. Regulations do not require neighbour notification until the proposed plan stage of the plan.

East of Rail Station – Non-preferred in New Sites Consultation

The site to the east of the former rail station was non preferred in New Sites Consultation due to its potential impact on the historic environment; impact upon mature trees; impact

upon the approach to Strathpeffer and because significant structural planting would be required to limit the visual impact. Planning conditions may be able to mitigate some of the cons, however it is felt that in particular the landscape impact and the length of time it would take for structural planting to mitigate this impact would be too significant. Whilst the community councils' and landowners support for the site is recognised it is felt than on balance the 'cons' of the make it unsuitable an application.

OTHER ALTERNATIVE SITES AND USES

The following sites were suggested in representations but were not consulted upon as part of the formal alternative sites and uses consultation. This was due to scale/type of uses of proposed and/or the potential effectiveness of site.

Allocation of Land at Primary School Playing Field for Children/Youth Activities

The playing field at Strathpeffer Primary School is identified as green space in the plan. Consistent with Policy 76: Playing Fields and Sports Pitches of the HwLDP this means it is safeguarded from development, subject to a number of exceptions including if the proposed development is ancillary to the principal use of the site as a playing field. Therefore if a development for children/youth activities was proposed it would be likely to be acceptable in principle rather than requiring an individual allocation.

Recommended Proposed Plan Content:

- The Proposed Plan text and mapping is available within the Committee papers
- In summary, the following MIR sites are retained:

H2, H6 and B1

- Remaining MIR sites are not retained / recommended for inclusion
- The following new site is recommended for retention within the Proposed Plan:

Land between H2 and H6

Issue	Tore
List of persons and organisations who submitted comments (including reference number):	
Allangrange Farming Company Limited (01063), Broadland Properties Ltd (01197), Highlands & Islands Green Party (00491), Jonathan And Alistair Martin (01057), Killearnan Community Council (00297), Mr Torquil Fraser (00617), Scottish Environment Protection Agency (00523), Scottish Natural Heritage (00204), The Scottish Government (00957)	
Summary of comments received:	
<p><u>General</u></p> <p>Public sewer connection - SEPA consider that it is in the interests of developers and the environment to ensure that whenever possible connection to public sewer is made and separate private discharges which undermine the increasing need for improvements to the existing collecting system within the whole of Tore are avoided. Continuing to permit the construction of discrete private foul drainage systems are considered to undermine the demand for a coherent collecting system serving the whole of Tore which may, in the longer term, constrain development in Tore. The most likely solution for treating sewage from a large population would be a long pipe to the Moray Firth. Scottish Water should be consulted to ascertain a long term solution for Tore.</p> <p>Trunk road network - Transport Scotland consider that an appropriate access strategy taking into account the cumulative impact of the various development opportunities and in particular the impact to Tore Roundabout needs to be established and the effects discussed and agreed with Transport Scotland.</p> <p>Species survey - SNH requests a settlement-wide developer requirement for great crested newt species survey where development proposed close to water body.</p> <p>Masterplanning - Highlands and Islands Green Party consider that development will need proper masterplanning to ensure that there is a viable settlement where people can live, work and shop.</p> <p>Key Development Issues - Killearnan Community Council supports the items listed under Key Development Issues for Tore.</p> <p><u>H1 North of Torwood house - Preferred site in MIR</u> SEPA do not object provided appropriate developer requirements are included in the Plan for Flood Risk. SEPA seek connection to the public sewer.</p> <p><u>H2 North of Croftcunnie Plantation - Preferred site in MIR</u> SEPA seek connection to the public sewer. The development interest for the MU1 and MU2 site considers that this site is not available as the landowner is not willing to release this land.</p> <p><u>H3 North of Braeview - Non preferred in MIR</u> The development interest here objects to its non preferred status and considers that it would round off the existing group (7 houses proposed). The development interest considers that it: sits well within the existing development pattern being similar in spacing, scale and density to existing development at Tore which is a dispersed rural settlement;</p>	

that there are already a number of settlements located along the old road to North Kessock; that industrial uses are proposed on an adjacent site indicating an expansion of the village in this direction; and that lack of pedestrian links and public transport are not unusual for a dispersed rural settlement and that distances from H3 to community facilities are not great. Whilst SEPA seek connection to the public sewer.

MU1 South of Rocklobster cottage - Preferred in MIR, and MU2 North of Rocklobster cottage - Non Preferred in MIR

The development interest is disappointed by late change of MU2 to non preferred after committee and considers that MU2 should be allocated and that only difference between them is public transport connections and MU2 being for longer term. They consider that both MU1 and MU2 are required for the proper planning of the site and to provide sufficient critical mass (alongside MU2) for the pumping of effluent to the WWTW serving Muir of Ord and Beauly. The key elements of this proposal are considered to be: creating a more sustainable community in terms of local jobs and services. As such pre-requisites for development are as follows: new public drainage system; new community primary school and playing field on east side of A9; enhanced public transport; and creation of improved pedestrian links, in particular a footbridge over the A9 from the west side, improvement of the A832 eastern approach to the roundabout, with a new approach bypassing the existing eastern part of the village and the existing approach stopped up; submission of a Transport Assessment and most likely a masterplan.

The Killearnan Community Council support MU1 for major development but only in principle as they are not convinced that future development of this site will benefit the existing settlement and the community. However they do see the opportunity to improve pedestrian and road safety issues and the need to provide park and ride. However the Killearnan Community Council support the Council's non preference of MU2.

With regard to MU2 SEPA would not object subject to appropriate developer requirements for restoration space and allowance for future natural processes and for Flood Risk Assessment if development proposals are close to the watercourse and requirement for connection to the public sewer.

Ryfield fruit farm are concerned about what impact the wider development proposals would have on their business.

C1 West of Old Kilcoy House – Preferred in MIR

There have been no comments made on this site other than SEPA seeking connection to the public sewer.

I1 North of the Grain Mill – Preferred in MIR

SNH are concerned about the potential effect on long established plantation origin inventory woodland that covers part of the site. Suggests over-riding public benefits should be demonstrated, alternatives ruled out, losses minimised, pre-determination surveys undertaken and high standard of compensatory planting. Believes woodland fulfils important visual screen function to A9. Asserts MU1 site is a better alternative for the uses proposed. SEPA seek connection to the public sewer.

I2 Between the A832 and A835 - Non Preferred in MIR

The Killearnan Community Council note that this site lies outwith the Settlement

Development Area and they would prefer it if was to be included that it was for mixed uses. SEPA seek connection to the public sewer.

Alternative Sites and Uses consultation (Preferred site), New site proposed as extension to I1 to south of Grain mill

The landowner of land to the south of the Grain mill suggests that there could be potential for expansion on this land and considers that the boundary of I1 is too restrictive to allow the potential future expansion of the mill and the processing of by-products. They consider it might be appropriate for the complex to be left in the open countryside and further development treated on its merits. However, if the Council feels that the site and land for its potential expansion should be included within the settlement development area with a specific boundary then it is considered that it should take in more land to the south and south east side. This would give greater flexibility and also help reduce the potential impact on the amenity of existing houses.

SNH responded to this consultation suggesting that there might be scope to make part of Site I1 (ancient woodland Type 2b – long established of plantation origin) non preferred rather than allocate both. Whilst Knockbain Community Council consider that there is already sufficient land north of the site, that the access is not appropriate, that it is too close to the cemetery, and are also concerned about the loss of good agricultural land.

New Mixed Use site at Ryfield fruit farm – Non Preferred in Alternative Sites consultation

The owner of Ryfield fruit farm considers that their land should be considered for housing including affordable housing development (50-70 houses+), retail, community, and open space. Suggests that there are no valuable trees or heritage features, and that the development would allow for better foul drainage and perhaps a playing field and larger school. Considers the site has easy access to public transport (bus) and has the cycle path link to Dingwall and Inverness. Suggests that the land has good bore hole water temperature for ground source heat pumps, is south facing for solar gain and panels, and that tree planting could achieve shelter from wind. The site has a farm shop and a tourist bunkhouse and is currently in agricultural use but is not prime land. There is a small burn onsite but this is unlikely to need channelled, and only minor contouring of landform is envisaged. Considers that it may provide opportunities to improve the green network and new paths could be created to link with the Black Isle Pathway.

Council's summary of responses to comments:

General

Tore is not in Scottish Water's programme for the investment period that ends April 2015. In the meantime it is considered appropriate that any proposals are assessed against HwLDP Policy 65 Waste Water Treatment. It is considered that discrete private foul drainage systems would not undermine the demand for a coherent collecting system as it will be significant housing development that will trigger this solution. Small scale housing proposals even cumulatively are unlikely to make much impact on Scottish Water's investment decision. In the meantime it seems inappropriate to stymie opportunities on this basis when they can be considered against Policy 65 and if they can demonstrate, "that the proposal is not likely to result in or add to significant environmental or health problems" then they can come forward. If SEPA advise that there is definitely no potential within Tore because any individual solution will add to significant environmental health problems then it would be appropriate to add a developer requirement which requires public sewerage connection. If not then it is considered more appropriate to assess

proposals individually against Policy 65 Waste Water Treatment. However it is considered that for the allocations H1, H2, MU1 they should have a developer requirement requiring public sewerage connection.

Trunk road network - Transport Scotland consider that an appropriate access strategy taking into account the cumulative impact of the various development opportunities and in particular the impact to Tore Roundabout needs to be established and the effects discussed and agreed with Transport Scotland. Agree that this will be required, and preliminary work has been undertaken (with a Transport Statement submitted albeit outside of the MIR consultation period), but given the phasing of the allocation it is considered that at the moment we have sufficient information, and we need to give the developers some certainty before they invest in the further work. Please refer to the Council's response to MU1 and MU2 for more detail.

Species Survey – Acknowledging SNH's point it is recommended that there should be a statement within the narrative which requires a great crested newt species survey for any development proposed close to a water body.

Masterplanning - Highlands and islands Green Party consider that development will need proper masterplanning to ensure that there is a viable settlement where people can live, work and shop. This is agreed please refer responses to MU1 and MU2 below where we are seeking to widen the scope of the MU1 site to include business and industrial uses, and where we recommend a requirement in the plan that development of this site must deliver: a genuine mix of community, business, industrial, and commercial uses and a mix of housing densities and tenures to ensure this is achieved. Also required is a developer prepared masterplan to ensure that a cohesive and well planned development comes forward with high quality design and layout.

Key Development Issues - Noted and these issues are still reflected in the Plan content.

H1 North of Torwood house - Preferred site in MIR

A planning application for 14 units was supported by Planning Committee in 2009 although the legal agreement to secure the affordable housing contribution has not yet been signed. The site can therefore come forward as per the supported planning application when the affordable housing section 75 has been signed. It is therefore recommended that this site should remain in the Plan.

H2 North of Croftcunnie Plantation - Preferred site in MIR

This site is in the Ross and Cromarty East Local Plan (RACE plan) for 40-55 units. There have been no comments made on this site other than the development interest for the MU1 and MU2 considering it ineffective. The minutes of evening workshop meeting in Tore for the MIR noted that there was doubt over its availability, with 2 landowners owning the land, 1 of whom is believed not to be interested in releasing the land for development. It is also noted that there has been no representation made in support of this site, either at Call for Sites or at Main Issues Report stage. Therefore it is recommended that this site should be removed from the Plan but left within the Settlement Development Area.

H3 North of Braeview - Non preferred in MIR

The development interest here objects to its non preferred status and considers that it would round off the existing group (7 houses proposed). However the site lies further away

from the village facilities and there is no pedestrian link. Also it is unclear whether the proposed change in land use meets the acceptability criteria given within the Scottish Government's policy on the Control of Woodland Removal. For the avoidance of doubt, any felled areas awaiting restock/regeneration are still considered to be woodland. Also with potential for future expansion proposals at the Grain Mill it would be better to avoid residential development in this location as it may limit industrial expansion opportunities. It is therefore recommended that this site should not be supported in the Plan.

MU1 South of Rocklobster cottage - Preferred in MIR, and MU2 North of Rocklobster cottage - Non Preferred in MIR

Tore's strategic location between major centres makes it attractive to both businesses and prospective residents. Major expansion could also potentially offer some benefits to the existing community by improving pedestrian connections (footbridge over the A9) and enhancing the range of facilities and employment available with industrial, commercial, and community development proposed alongside housing development. The difficulties in accommodating such a massive expansion to a small community would be mitigated to some extent by careful phasing of the development.

It is however preferable to focus on making the most of existing infrastructure, and consolidating existing Black Isle communities to support the existing services/facilities and existing businesses before identifying opportunities that will require significant public investment (waste water treatment solution), and before the planned park and ride is in place to provide enhanced public transport links. This means maximising the use of existing infrastructure and sustainably growing and supporting the existing communities on the Black Isle, before masterplanning of, major public investment, and then major expansion of Tore.

In the longer term it will become more difficult to identify sufficient suitable housing land within existing communities on the Black Isle where there is capacity in the infrastructure and where development will not impinge on the landscape setting and character of the communities. At this point an expansion proposal of this nature at Tore could deliver a sizeable contribution of the future development within the Black Isle. In light of the above it is recommended that the Tore major expansion proposal should be phased for years 2021- 2031.

The MU1/MU2 expansion proposal has been assessed against Policy 38 New Settlements of the Highland wide Local Development Plan and meets well with its provisions when delivered alongside the provision of park and ride, and when delivered alongside employment generating development and community development, as the location is accessible to/from public transport.

With regard to the mix of uses the development interest was disappointed by the late change of MU2 to non preferred in the MIR (which was made after committee) and considers that MU2 should be allocated for mainly business and industrial development. The development interest considers that the only difference between MU1 and MU2 is public transport connections and MU2 being for longer term. However identifying MU2 for business and industrial employment uses would mean the highest visual impact development being proposed for the most sensitive and prominent part of the expansion area. Whilst it is recognised that there is a need to separate any industrial bad neighbour development from residential areas it is considered that this could also be achieved on

MU1 given the size of the site. It is also considered that business and industrial uses need to be incorporated alongside earlier stages of the housing expansion, so job creation happens alongside major housing development. It is reflected that with the appropriate mix of housing density, a genuine mix of community, business, industrial and commercial uses can be delivered alongside 460 homes. After all at an average density of 20 homes per hectare, 460 homes would take up 23 hectares of MU1 which is just over half the overall 43 hectare MU1 site.

The development interest considers that there is need for the critical mass of MU1 and MU2 to make the business case to Scottish Water for first time sewerage provision. It is recognised that there is likely to be some abnormal costs associated to development at Tore in relation to access however there is recognition from Scottish Water that the cost of any enhancement to Muir of Ord WWTW and the means of taking flows from our WWTW in Tore to Muir of Ord would normally be funded as part of the overall Scottish Water 'growth funding mechanism'. It is considered that the levels of development supported in this Plan are sufficient in this regard.

Whilst MU2 is not preferred in this Local Development Plan review the site can be reconsidered in subsequent Local Development Plan reviews. This enables advance structural planting requirement to buffer of the A9, and possibly some additional tree planting/landscaping to be carried out within the site to provide some softening for proposed development areas. These measures alongside a well balanced, designed and sited, mixed use development could ensure that the landscape impact of development can be mitigated sufficiently.

To identify a major expansion site which forms a significant proportion of the housing land requirement for the Mid Ross housing market area means that we need reasonable confidence in its effectiveness for delivery. If it does not come forward it could leave the Mid Ross housing market area with insufficient opportunity for development. More confidence in the effectiveness of this major expansion proposal would be gained if the multiple development/landowning interests here jointly prepare a masterplan.

The developer masterplan must establish costs and agree the landowners respective contribution to infrastructure/servicing, open space, community development, establish a road layout, a landscape design framework, identify the land uses, and provide siting and design guidance and visualisations. This will involve preparation of a Transport Appraisal and further work with Transport Scotland to establish the requirements for the trunk road network, and junctions particularly at Tore roundabout. There will also be a need to integrate with and assist in the delivery of future transport solutions in this area such as the park and ride proposals, and community developments including possible new primary school provision. This level of detail will be required to give more confidence on the deliverability of the proposal. This work needs to be completed in a partnership arrangement involving as its core: the consortium of landowners, the Council, Transport Scotland, and Scottish Water.

However given that there will be a Local Development Plan review before this site is phased for delivery it is considered that this work should be completed to support the next Local Development Plan review. At this point the Council needs more confidence in the delivery of this site and expect this masterplan to be prepared to support its inclusion in the next Local Development Plan. The reason this is not a requirement at this point is in

recognition that the developers need some certainty before investing significant sums of money to carry out this work, and also of course in recognition that support for this sites development is programmed for 2021 to 2031. At the next Local Development Plan review the area of expansion land supported will take account of the updated Housing Needs and Demand Assessment, the developer prepared masterplan, any advance planting/landscaping on MU2 that may increase this landscapes capacity for development, and the siting and design guidance and visualisations.

Although indicative, the developer proposed layout shown in the development framework submitted at the Call for Sites Stage is not supported. This is because the layout and access solution will need to be based on the Transport Appraisal and further work with Transport Scotland. Also it is considered that the expansion proposal for MU1 requires a different mix of uses. Also views in, out and within the site need to be considered along with whether screening is required (for industrial uses), what form it should take if so, and the framing of views within the site. Both the layout of the uses on the site and the design of the landscape proposals will affect how successfully these potential conflicts can be resolved. The Landscape Design Framework that will be required should also outline what the aims and objectives of the landscape design will be. This should include concept and character sketches, a summary of site analysis and an “extensive” landscape treatment throughout the site to augment the existing landscape framework. Also the design and siting guidance will need to establish a cohesive design framework as well as ensuring there is no conflict between uses.

In light of the above it is recommended that to establish an appropriate mix of uses for this major expansion proposal we should allocate the MU1 site but widen the appropriate uses to ensure inclusion of business and industrial opportunities are provided for whilst identifying opportunity for 460 houses. It is also recommended that MU2 site is not allocated in this Plan.

C1 West of Old Kilcoy House – Preferred in MIR

This site lies between the post office and the hotel was identified in the RACE Plan for community facilities and a small amenity open space along the A832 frontage. There are no comments made on this site and it is recommended that it should remain in the Plan.

I1 North of the Grain Mill – Preferred in MIR

SNH are concerned about the potential effect on long established plantation origin inventory woodland that covers part of the site. It is acknowledged that to accord with Policy 52 Principle of Development in Woodland of the Highland wide Local Development Plan (HwLDP) there needs to be over-riding public benefits demonstrated, alternatives ruled out, losses minimised, pre-determination surveys undertaken and high standard of compensatory planting. Also the buffering benefit of this forest is important.

In order to accord with our HwLDP Policy 52 Principle of Development in Woodland requirements for pre determination surveys, compensatory planting, and for loss of trees to be minimised where possible (particularly within the inventoried woodland to the south) whilst ensuring that buffer areas to the A9 are retained are proposed. It should be noted that given the timescales for the MU1 site post 2021 there is a need to allocate industrial opportunity in the meantime. Therefore it is recommended that this site is included in the Plan subject to the relevant requirements.

Alternative Sites and Uses consultation (Preferred) New site proposed as extension to I1 to south of Grain mill

Details of those submitting comment to this consultation are not listed in this document. The landowner of land to the south of the Grain mill suggests that there could be potential for expansion on this land and considers that the boundary of I1 is too restrictive to allow the potential future expansion of the mill and the processing of by-products.

However with it being clear that I1 is available, this is preferred over this expansion site. This is because the potential visual impact of this site is significant and since it does not benefit from existing woodland to buffer the impact of the development in the short to medium term impact of industrial development here would be significant. It is therefore considered that although the existing I1 will have to mitigate the impacts this can be more successfully achieved on I1 than on this land.

However with advance planting this sites ability to accommodate industrial expansion would be enhanced and if this were to be carried out it could be considered through a future Local Development Plan review or through assessment of a planning application against the general policies of the HwLDP including Policy 41 Business and Industrial Land which provides a policy exception for proposals outside of existing allocations where, "there is an unforeseen element to the requirement". It is considered that it is more appropriate for the Plan to support I1 and not support this extension therefore it is recommended that this site is not included in the Plan.

I2 Between the A832 and A835 - Non Preferred in MIR

The Killearnan Community Council note that this site lies outwith the Settlement Development Area and they would prefer it if was to be included that it was for mixed uses. However this site is non preferred because of the significant visual impact of its position, and the lack of pedestrian connections. It is therefore recommended that this site should not be included in the Plan.

New Mixed Use site at Ryfield fruit farm – Non Preferred in Alternative Sites consultation

The owner of Ryfield fruit farm considers that their land should be considered for housing including affordable housing development (50-70 houses+), retail, community, and open space. They are concerned about what impact the wider development proposals would have on their business. However it is considered that inclusion of this site is premature to this Local Development Plan review with MU1 phased for 2021- 2031 there is no housing land requirement for this site within this Local Development Plan period. However it is recognised that it would be a logical extension after MU1 and therefore future access connections to this site should not be stymied in the preparation of a masterplan for MU1.

Recommended Proposed Plan Content:

The following consideration of sites sets out some of specific developer requirements however this is not a complete list of the developer requirements, a full list will be developed and presented in the Proposed Plan and associated documents.

Retain H1, MU1, C1, and I1 with appropriate requirements.

Remaining MIR sites and suggested new sites are not retained / recommended for inclusion

Issue	OTHER SETTLEMENTS
MIR reference:	MIR 6.3 & 6.4
List of persons and organisations who submitted comments (including reference number):	
<p>Ardross Community Council (00267), Ashdale Property Company Limited (01062), Avoch & Killen Community Council (00330), Beauly Community Council (00271), Cllr Kate Stephen (01348), Conon Brae Farms (01236), Dr Maria De La Torre (01205), Dr Ros Rowell (00885), Ferintosh Community Council (00910), Fortrose And Rosemarkie Community Council (00286), G H Johnston Building Consultants Ltd (00424), Glenurquhart Community Council (00288), Hazel Bailey (00638), Heather Macleod And John Parrott (01193), Highlands & Islands Green Party (00491), Invergordon Community Council (00293), Inverness West Community Council (00296), J.A. Wiscombe (00777), J.E. And S.B Wood (01157), Killearnan Community Council (00297), Kilmorack Community Council (00031), Kiltarlity Community Council (00299), Kirkhill & Bunchrew Community Council (00302), Kylauren Homes (01128), Mackintosh Highland (00887), Mackintosh Highland (00890), Miss Annie Stewart (00757), Miss Mary Maciver (00883), Miss Rachael Crist (00772), Mr Alexander MacDonald (01227), Mr Alistair Duff (00877), Mr And Mrs Campbell (01317), Mr Anthony Chamier (00632), Mr Anthony Neil Morey (00774), Mr Aulay Macleod (00637), Mr Bob How (01047), Mr Craig MacRae (01260), Mr Donald Leith (01121), Mr Eddie MacDonald (01249), Mr Forbes (00902), Mr Fraser Stewart (00407), Mr G Philip (01020), Mr Grant Stewart (01097), Mr James Grant (00920), Mr James Kidd (00979), Mr John Duncan (00915), Mr John Finlayson (00244), Mr John Hampson (01119), Mr John Ross (00016), Mr Jonathan Kerfoot (01052), Mr Kit Bower (00754), Mr Paul A. Ross (00786), Mr Paul Whitefoot (00973), Mr Peter Gilbert (00642), Mr Phil Anderson (01259), Mr Roddy Macdonald (00635), Mr Ross Glover (01170), Mr Wallace Grant (01115), Mrs Ann Macleod (00639), Mrs C Stafford (00511), Mrs C Wood (00948), Mrs Francis Tilbrook (01092), Mrs Karin Kremer (00729), Mrs Liz Downing (00892), Ms Christine Matheson (01203), Ms Cornelia Wittke (01244), Ms Eleanor Ross (01136), Ms Elizabeth Barras (01105), Ms Hannah Stradling (01242), Ms Irene Ross (01159), Ms Jenny MacIennan (01237), Ms Lucinda Spicer (01200), Ms Marion Kennedy (01262), Ms Valerie Weir (01198), Munro Construction (Highland) Ltd (01235), Nicam Developments Ltd (00882), Nigg & Shandwick Community Council (00313), Raigmore Community Council (00314), Robert Boardman (00033), Scotia Homes, Barratt East Scotland And Robertson Homes (01310), Scottish Environment Protection Agency (00523), Scottish Natural Heritage (00204), Strathdearn Community Council (00908), Stratherrick And Foyers Community Council (00319), The Scottish Government (00957), The Trustees Of The Cawdor Scottish Discretionary Trust (00984), William Gray Construction Ltd (01071)</p>	
Summary of comments received:	
<p><u>Support in Principle</u></p> <p>The vast majority of respondents support the principle of the proposed approach to smaller rural settlements. Many do so without further comment. SNH comment that</p>	

Invermoriston should have its own main village chapter to provide specific protection for the salmon and pearl mussel interests. An Abriachan landowner suggests Abriachan should have a mapped village boundary enclosing his development land. Some respondents query if and how this policy and that on housing in the countryside overlaps. One respondent queries what happens if a settlement loses its last remaining facility. One respondent objects to the approach and believes these settlements should not have any further growth. One respondent believes that there shouldn't be any policy for these settlements just a general presumption in favour and each case judged on its individual merits. A Foyers landowner suggests Foyers should have a mapped village boundary and separate chapter enclosing their development land because: site benefits from an adopted local plan allocation; village is large, has numerous facilities and requires a planning framework to prevent piecemeal and sporadic development; site is flat and adjoins existing development, and; bridge can't be a constraint given the recent caravan park planning permission. One respondent suggests specific allocations in these settlements would give more certainty. A Hill of Fearn developer suggests Hill of Fearn should have a mapped village boundary and separate chapter enclosing their development land because: it benefits from an adopted local plan allocation; it can be accommodated within the local landscape and topography; there are services and facilities closeby; it can accommodate housing demand from the expansion of employment at Nigg and Invergordon, and; it could generate significant developer funded improvements.

Amendments to Criteria

Several respondents suggest new / amended criteria. The existing criteria are numbered below in brackets.

1) One respondent disagrees that active travel distance from the community / commercial facility(ies) should be used to define a de facto settlement boundary because this discriminates against those with mobility issues. Car usage is an accepted way of rural life and facilities serve a wider rural parish not just the immediate settlement. One respondent suggests any existing or new facility should be subject to a viability check. One respondent believes these settlements should have mapped boundaries. One respondent believes this factor should be a consideration but not a determining factor. A few respondents request a specified distance figure. One respondent believes this criterion should be relaxed if the proposal is for a sustainable development - e.g more self sufficient in terms of energy, food and materials etc.

2) Several respondents disagree that new development should match existing architectural designs in the settlement especially where these are poor and this would stifle innovation. One respondent requests a more precise definition of harm, character, social balance, locally important green spaces and locally important heritage features. One respondent requests addition of "pattern" to sub criteria list.

3) One respondent requests a specific % growth figure to be stated. Two respondents suggest that the time period should be 3 not five years to reflect the most common duration of planning permissions.

4) One respondent suggests that the criterion should be shortened and limited to "whether the development can be adequately serviced?"

5) Three respondents suggest that greenspace is too broad a term should not include fields in agricultural use but could include formal public open, play and sports space and suggest incorporation of this factor within criterion 6. 51 petitioners request detailed Plan coverage to protect woodland at Inverarnie should TPOs not be confirmed.

6) SNH wish the penultimate criterion to clarify that national and European natural heritage interests should also be taken into account.

7) Concern that inclusion of developer mitigation as a factor will lead to perception of “buying” a planning permission. One developer respondent requests deletion of criterion as potentially in conflict with Circular 1/2010.

New Criteria

Suggestions have been received in terms of: impact on local landscape character; the views of the local community; conformity with Designing Streets principles requiring sustainability based developer masterplan or development briefs and community engagement; requiring local employment opportunities to be available within the same settlement; requiring housing to be of a design suitable to varying lifetime needs; allowing development where market demand exists and views are good; protected species and habitat impact; housing availability in the area, and; energy efficiency and sustainability of the development.

Policy Presumption

Several favour a positive approach which only requires some criteria to be met. One developer favours more flexible criteria or more certainty via a mapped boundary and allocated sites. More favour a restrictive approach which requires most if not all criteria to be met especially within the Hinterland countryside. One respondent believes that failure to have adequate supporting infrastructure such as water and sewerage should trigger an automatic negative presumption. One respondent believes the policy should be less restrictive in lower demand areas. One respondent queries if this policy is intended to be more positive than within main villages. One respondent believes that only development to meet indigenous demand/need should be met.

Amendments to List of Settlements

One respondent believes Redcastle should be added to the settlements list. One respondent suggests Kilmorack should be added because it has a school and a hall. One respondent believes Croftcroy should be added because it is within 645 metres of Farr Primary School and close to Farr and Inverarnie’s other facilities, and housing development would cross subsidise other tourism and rural business ventures that add local employment opportunities. One respondent believes Torrdarroch should be added because it is only 1.5km from Farr and its facilities and already possesses clusters of housing which could be added to rather than further uncharacteristic sporadic housing. Ferintosh Community Council request the addition of Mulbuie because of its school. A few respondents query why Errogie is not included. Respondents are happy it is not but wish criteria from adopted local plan carried forward if it is added. Landowner at Brackla requests its addition because: part allocated in adopted local plan; large existing business use part of settlement; walkable distance of Cawdor and its facilities; size of existing

community; market demand, and; public transport connection. Landowner at Flemington requests its addition because: it could support a mixed use development thus aiding sustainability; it could provide housing choice; no adverse landscape impact; near to shop/restaurant; large number of existing houses, and; it lies within a growth corridor. Landowners at Rhicullen / Newmore suggest it should be added because: it has a primary school; suitable mixed use infill development sites adjoin the school; there is some community support for it, and; local topography is suitable. One respondent suggests Cawdor should be added to the list.

New Sites

- One respondent seeks a specific housing site allocation at Croftcroy, south of Farr because it: forms part of an existing settlement and will round it off; will not be ribbon development; will cross subsidise the expansion of the owner's leisure and tourism business and its local employment potential at a time when alternative bank funding is not available, and; will help sustain local school, post office and hall facilities in the wider parish.
- One respondent seeks two specific housing site allocations at Ardross because they: are of poor agricultural quality; can be serviced; fit with the existing settlement pattern; no trees or public views will be affected; provide a valuable addition to the rural housing land supply in accordance with national planning policy; are deliverable, and; well placed to serve increasing employment opportunities in Easter Ross.
- One respondent seeks a specific tourism site allocation at Comar Woods, south west of Cannich because the site benefits from a previous fishing lodge permission and complies with the principles of extant planning policy.
- One respondent seeks a specific housing site allocation at Craggie Farm, Daviot because: the land is of poor agricultural value; there is a high demand for rural plots, and; development in the locality would help underpin the local primary school.

Modifications sought by those submitting representations:

Support in Principle

Vast majority of respondents seek retention of policy on this topic. Some seek greater policy coverage (a separate map with boundary and site allocations) and text for certain settlements namely Abriachan, Foyers and Hill of Fearn.

Amendments to Criteria

More exact and specific wording is requested in most suggested amendments.

New Criteria

Most new suggested criteria relate to sustainability but one respondent suggests market demand should be a factor and a few that local community opinion in itself (rather than the planning validity of that opinion) should be a criterion.

Policy Presumption

An even split between pro development parties seeking that only a few criteria need be met to demonstrate conformity with the Plan, and those wishing to restrict development seeking that most of not all criteria are met. Several believe the policy presumption should vary according to the pressure for development – i.e. it should be more restrictive in areas

of high pressure and more positive in areas of low pressure.

Amendments to List of Settlements

Additions are suggested at Redcastle, Kilmorack, Croftcroy, Torrdarroch, Mulbuie, Brackla Flemington, Rhicullen / Newmore and Cawdor.

New Sites

One respondent seeks a specific housing site allocation at Croftcroy, south of Farr. One respondent seeks two specific housing site allocations at Ardross. One respondent seeks a specific tourism site allocation at Comar Woods, south west of Cannich. One respondent seeks a specific housing site allocation at Craggie Farm, Daviot.

Council's summary of responses to comments:

Support in Principle

- Majority support for the Council's general approach to this issue is welcomed.
- Invermoriston should not have its own main village chapter just to provide greater protection for natural heritage interests. The purpose of the policy is to promote small scale development proportionate to the size, type and pattern of these settlements and their constraints. The stated heritage constraints already benefit from other, adequate legal and HwLDP policy protection.
- Abriachan is a crofting township that continues to experience high development pressure due to its relatively close proximity to the Inverness work centre. However, its settlement pattern, road capacity constraints, landscape sensitivity and lack of mains sewerage all indicate that it should not accommodate large scale development proposals. The Plan format includes specific maps and text for those settlements to which larger development proposals will be directed.
- There is a potential geographic overlap for non housing proposals between this policy and the Wider Countryside policy within the HwLDP. Non housing or mixed use applications lodged on the margins of these settlements would be considered against both policies. For mainstream housing only proposals there should be no geographic overlap. It will be for the applicant and decision maker to use professional judgement to decide whether the application is within active travel distance of a facility that it could help underpin.
- The policy is no longer applicable if the settlement loses its last or single facility. The settlement would then revert to being in the countryside where the HwLDP's countryside policies would apply.
- The ideas of respondents suggesting a wholly positive or negative approach to these settlements are not in line with approved national and Highland planning policy and would not be appropriate or practicable.
- Foyers was considered as a "main" village meriting its own Plan chapter. However, its relatively low market demand and housing need coupled with its multiple constraints (woodland, slope, largely single track road network, limited sewerage capacity, cross loch landscape prominence / sensitivity and road bridge capacities) suggest it's not suitable for large scale housing development. The recent caravan park permission included road improvements and was for an off-peak traffic, seasonal use.
- Specific boundaries and allocations would give more certainty but the new streamlined Plan format seeks to take a more proportionate approach to smaller /

low demand rural settlements. Put simply, with a tighter timetable for reviewing local development plans, the Council has chosen to concentrate detailed guidance on settlements and sites where the need to manage land use change is greatest.

- It is accepted that Hill of Fearn is geographically well placed to accommodate housing demand associated with the upsurge in employment at Nigg. However, so too are larger and more established “town” settlements at Alness, Invergordon and Tain which have higher order facilities and better transport connections. That said, this “policy” allows for limited housing growth, proportionate to the size of the existing settlement and its constraints. Hill of Fearn’s contributory role in the Easter Ross growth corridor will be recognised in the Plan strategy.

Amendments to Criteria

1) A specified, acceptable active travel distance would not be appropriate because local circumstances vary. For example, steep slopes and indirect connections can inhibit walking and cycling even where the as-the-crow-flies distance can be reasonable. Figures of 400 metres for walking and 1,000 metres for a child cycling can be used as guidelines but it will be for the applicant and decision maker to use professional judgement to assess the distance and the quality of the route(s) connection(s) between the application site and the facility(ies). Larger developments will have a transport assessment to assist consideration of this issue. Put simply, could the future householders of the development reasonably walk or cycle to the settlement’s facility(ies)?

It is not sensible for people with mobility issues to live in an area remote from facilities that they are dependent upon. For example, new accommodation for the elderly would benefit from being located reasonably close to healthcare and other community facilities. There will be exceptions, for example, those who have lived in a remote rural area all their lives but they will not need new housing unless it’s for a retiring crofter or farmer and these exceptions are already allowed for in the Council’s housing in the countryside policy. It is also not cost effective for public services such as district nurse and GP home visits to be delivered to remote locations.

It is accepted that rural facilities, have traditionally in many parts of Highland, served a wider rural parish rather than a concentrated village. However, driving to these facilities isn’t traditional. It has become common, recent practice but is not compatible with the national planning objective of minimising unnecessary travel.

It would be reasonable that any developer proposing a new facility in a settlement that doesn’t currently have one should have any associated housing development tied to the provision of the facility and a check on its future viability. The viability of existing facilities shouldn’t need to be checked unless there is a known issue such as likely rural primary school closure. Checks on the overall sustainability of any application are covered in other criteria and in other development plan policies. However, a development that is sustainable in all respects apart from its location shouldn’t be treated as an exception in remoter countryside locations. This is because of the need to minimise unnecessary travel and ensure cost effective public service provision.

2) It is accepted that promoting houses of similar architectural design in settlements where many recent examples are of poor architectural design would not be appropriate. Accordingly, the word “design” should be deleted. Other development plan policy and

guidance contains adequate advice to promote good architectural design quality. The words spacing, scale and density plus the other criteria cover the issue of settlement pattern and therefore the addition of the word pattern is unnecessary. However, additional wording is required to guard against over-development of very dispersed settlements where the facility serves a wider rural parish rather than a concentrated settlement - e.g. Resolis Hall and Resolis Primary School.

(3) The time period is not crucial to the policy's application but five years equates to the Plan review period and the effective housing land supply period plus planning permission periods can be varied. A longer period also irons out any short term "blips" in permissions granted or house completions and would therefore allow a more considered judgement to be made. The Council has chosen not to reaffirm its fixed % growth control policy because it has proven impracticable. It will be for the applicant and decision maker to use professional judgement to assess the specifics of the application and what it is likely to do for the settlement. For example, a mixed use development with mixed tenure housing may be acceptable even if larger in numeric terms but five houses designed and sited as suitable for sale as second or holiday homes may not be.

(4) All infrastructure networks and their spare existing or potential capacity are important. Shortening the wording would encourage applicants and decision makers to narrow the scope of what they consider in terms of adequate servicing.

(5) The term greenspace is too ambiguous. The criterion should allow consideration of the same type of areas specifically safeguarded within the Plan's larger growth settlements. These should be areas appreciated by the wider local community (not a few neighbouring householders) because of their amenity or recreational value. This would include sports pitches, children's play areas, local trees or woodland that provides a recreational and/or public amenity benefit. These will vary with local circumstances and could include a single tree that many young children climb or a field slope used by local residents for winter sledging. The key is its local significance and use. The term amenity / recreational areas significant to the wider local community would be more appropriate. A Tree Preservation Order has been confirmed for the Inverarnie woodland area.

(6) This policy should not duplicate other guidance in the development plan. Other heritage interests are already adequately referenced elsewhere in the development plan.

(7) Concerns about this criterion are noted. On reflection, it does not add any local dimension to other existing development plan policies on this topic and should be deleted.

New Criteria

The wider development plan contains adequate policy coverage on the issue of landscape character and criterion 6 picks up specific local issues on vistas, viewpoints, setting and criterion 2 those relating to settlement pattern. The number and origin of planning representations should not in itself be a factor in determining a planning application. Rather the quality and validity of the reasons and evidence to support representations is important. Accordingly, local community views should not be a separate criterion. Energy efficiency and sustainability factors are picked up in the stated criteria and elsewhere within the development plan. Major development planning applications will automatically trigger the need for community consultation and a design and access statement. Requiring

masterplanning of potentially very small scale proposals would not be proportionate. Allowing development simply where market demand exists and views are good would run counter to approved national and Highland planning policy which also requires consideration of potential adverse effects of development. Potential protected species and habitat impacts are covered adequately by policies within the HwLDP. It is impracticable for the decision maker to record and take account of the number of vacant and other properties on the market at the point of determination of every small rural planning application. However, previous local house completion and extant planning permission data is more readily available and can be used as a good proxy for assessing the balance of supply and demand in the local area.

Policy Presumption

The range and balance of representations received indicates no expressed consensus on whether to take an overtly positive or negative approach to development within or close to these settlements. These views taken together with normal planning assessment procedure of considering all relevant factors, suggest that all criteria should be given equal consideration and weighting, and that any application should be assessed in terms of its degree of conformity with each and then a balanced judgement reached on overall conformity with the policy as a whole and other relevant development plan policies. The suggested variance of the policy to respond to different levels of development pressure is accepted. Criterion 3 already addresses the issue of over-development in pressurised communities. However, criterion 3 should also address the need for regeneration in stagnant communities.

Amendments to List of Settlements

- The suggested additional settlements at Kilmorack, Mulbuie, and Rhicullen / Newmore have at least one community or commercial facility that is likely to be underpinned by further development in close proximity to them. Accordingly they should be added. Advie has a village hall and should also be added.
- Barbaraville, Kildary, Milton of Kildary and Portmahomack are currently covered by main settlement chapters but are not likely to experience significant development pressure and/or are not endorsed for large scale growth. Accordingly, they should be added to this policy's list of settlements.
- Cawdor by contrast is earmarked for significant expansion and should be retained as a main settlement.
- Brackla, Flemington, Redcastle, Croftcroy and Torrdarroch are varying sized groups of houses which lack a community / commercial facility or in the case of Brackla the facility is not one whose viability can be underpinned by new residents living closeby.

New Sites

- The respondent's specific housing site allocation suggestion at Croftcroy, south of Farr is small scale and within an area of dispersed rural development. It raises no strategic issues and should therefore be judged against this Other Settlements policy and other development plan policies as applicable.
- The respondent's specific housing site allocations at Ardross are too small in scale and within too small a settlement, experiencing too little pressure to justify a

detailed, main settlement approach to land use planning in this locality and should therefore be judged against this Other Settlements policy and other development plan policies as applicable.

- The respondent's specific tourism site allocation at Comar Woods, south west of Cannich is too small in scale to justify an allocation outwith any settlement. The Plan includes such allocations but only where they are of strategic significance. That said, the site lies outwith the Hinterland boundary, in an area in need of economic regeneration and close to the gateway to two of the western glens. It has a competitive advantage for tourism use in terms of its location. A well sited, designed and adequately serviced tourism proposal would likely be compliant with existing (HwLDP) development plan policies.
- The respondent's specific housing site allocation at Craggie Farm, Daviot is too small in scale and within too small a settlement to justify a detailed, main settlement approach to land use planning in this locality and should therefore be judged against this Other Settlements policy and other development plan policies as applicable. It is accepted that development in the locality would help underpin the local hall and school albeit there is A9 severance between the proposed site and these facilities.

Recommended Proposed Plan Content:

The amended policy text should state:

Other Settlements

We think we should assess development proposals within or adjoining the following settlements*

Abriachan, Advie, Ardross, Balnain, Barbaraville, Bunchrew, Cannich, Croachy, Cullicudden, Daviot, Dochgarroch, Easter Kinkell, Farr, Ferness, Foyers, Garve, Gorthleck, Hill of Fearn, Inver, Kildary, Inverarnie, Invermoriston, Kilcoy, Kilmorack, Marybank, Milton of Kildary, Mulbuie, Pitcalnie (Nigg), Portmahomack, Resolis, Rhicullen / Newmore, Struy, Tomich, Whitebridge

against the following criteria:

- whether the development is located within active travel range of at least one community/commercial facility and is likely to help sustain that facility;
- whether the proposal is similar in terms of its spacing, scale and density to development within or adjoining that existing settlement, including consideration of and respect for whether the local facility serves a wider parish of dispersed rural settlement or a concentrated village;
- whether the number and capacity of permissions granted within that settlement over the five year period prior to the proposal being determined suggests that further development may harm the character and social balance of that community or may regenerate a community that is losing facilities, services and/or its permanently resident population;
- whether spare, existing infrastructure network (education, roads, other transport, water, sewerage etc.) capacity exists within or close to that settlement or could be provided in a cost efficient manner;

- whether the proposal would result in a net loss of amenity / recreational areas significant to the wider local community;
- whether the proposal would result in an adverse impact on any other locally important heritage feature (for example the setting of a war memorial or burial ground, or important public viewpoint/vista);

* This list of settlements is subject to change. The policy will no longer be applicable to settlements losing their last or single facility but will apply to additional settlements acquiring a new facility. We will expect developers proposing a new facility as part of a wider development scheme, to demonstrate the facility's future viability and to guarantee its completion by legal agreement.

Issue	Barbaraville	
MIR reference:	7.20	
List of persons and organisations who submitted comments (including reference number):		
Balnagown Estate (00964), Highlands & Islands Green Party (00491), Mr Aulay Macleod (00637), Network Rail (00438), Scottish Environment Protection Agency (00523), Scottish Natural Heritage (00204)		
Summary of comments received:		
<p><u>General</u> Seeks cycle path extension between Barbaraville and Invergordon.</p> <p>Sites</p> <p><u>B1</u> SEPA will not object provided text of the plan is modified to state FRA required to support any development and outcome may adversely affect the developable area or development options on the site.</p> <p><u>H1</u> Requests HRA (in-combination with other developments) conformity check in terms of potential adverse effects on Cromarty Firth SPA / RAMSAR site.</p> <p>Network Rail object to housing allocation at Barbaraville due to significant safety impact it would have on adjacent Delny level crossing. Developer funded mitigation in the form of full barriers or bridge is required. Network Rail are currently in discussion with the Council regarding the closure of the level crossing to cars and making it a pedestrian level crossing with miniature warning lights.</p> <p>The scale of development proposed would overwhelm this settlement, especially is developed purely for housing. The promoters should be asked to consider a properly masterplanned development for a future Local Plan.</p> <p>SEPA will not object provided text modified to state development of the site would have to be supported by a FRA if development is close to the watercourse and all development will avoid the functional floodplain.</p> <p>Supports preferred status of site and requests that the Proposed Plan content reflects the content of the pending PIP application on the site.</p>		
Modifications sought by those submitting representations:		
<p><u>General</u> Cross-settlement developer requirement for cycle path extension between Barbaraville and Invergordon.</p> <p><u>B1</u> Text modified to state FRA required to support any development and outcome may</p>		

adversely affect the developable area or development options on the site. Flood Risk Assessment will be required in support of any planning application.

H1

Addition of any HRA resultant mitigation requirements.

Removal of H1 unless developer funded mitigation in the form of full barriers or a bridge is included as a developer requirement.

Text modified to state development of the site would have to be supported by a FRA if development is close to the watercourse and all development will avoid the functional floodplain.

Boundary of allocation H1 and uses to reflect pending PIP application

Council's summary of responses to comments:

General

The concept of a cycle path extension between Barbaraville and Invergordon is supported in principle. The exact route and delivery mechanism would need to be agreed. It is considered the most appropriate place for this to be considered is through the Green Networks: Supplementary Guidance which is currently in production. Through this detailed phasing and requirements can be identified.

Sites

B1

Since publication of the Main Issues Report this site has since been developed and as such no further developer requirements can be brought forward.

H1

This site is currently subject to a planning application (08/00253/OUTSU) for the erection of 100 houses and formation of roundabout onto the B817. The objections which have been made to this application are largely reflective of the representations made to the Main Issues Report. The application has not yet been determined due to ongoing discussion regarding the Delny Level Crossing.

Ongoing work on the Habitats Regulations Appraisal of the plan has identified mitigation which would ensure development will not have an impact on the connected European Designated Sites including the Cromarty Firth SPA and Ramsar sites.

If the site were to be allocated it would be subject to a satisfactory solution to the capacity and crossing of the railway at Delny to both the satisfaction of Network Rail and The Highland Council.

A flood risk assessment would be required to demonstrate the extent of the flood risk area. Built development in an area at risk of flooding would be contrary to Scottish Planning Policy and the Highland-wide Local Development Plan.

Recommended Proposed Plan Content:

Barbaraville to be added to the list of Other Settlements in the Other Settlements Policy.

The Inner Moray Firth Local Development Plan is seeking to take a proportionate approach to delivery of a local development plan in which the growth of smaller settlements can be facilitated in a manner which is commensurate with their size and the level of development pressure. Where settlements are not experiencing significant levels of development pressure, where there is a logical direction for further growth of the settlement and where further development would support existing community or small scale commercial facilities these will be assessed a criteria based policy.

In the case of Barbaraville it is considered it is appropriate to take this approach due to the limited pressure for development, there being only one logical direction for growth and where there is both community (village hall, albeit outwith the settlement) and commercial (village shop) which would be supported and strengthened by development.

Issue	Kildary	
MIR reference:	7.29	
List of persons and organisations who submitted comments (including reference number):		
Balnagown Estate (00964), Scottish Environment Protection Agency (00523), Scottish Natural Heritage (00204), The Scottish Government (00957)		
Summary of comments received:		
<p>General</p> <p>An appropriate access strategy taking into account the cumulative impact of the various development opportunities should be discussed and agreed with Transport Scotland. It would be expected that existing junctions will be used to access the proposed sites.</p> <p>Sites</p> <p><u>H1</u></p> <p>Believes H1 would be preferable to H2 especially with screen planting to A9.</p> <p>SEPA will not object provided the following developer requirements included in Proposed Plan. Drainage and the small watercourse/drain should be considered carefully in the site design and layout. Wetlands may be present on this site therefore a Phase 1 Habitat Survey should be undertaken and any necessary mitigation included within the planning application.</p> <p><u>H2</u></p> <p>Concerns re possible adverse effect on area of long established semi natural origin Inventory woodland within site. Cites national and Highland policy protection for such woodland. Wants evidence of over-riding public benefits, no alternatives, loss minimisation, pre-determination species survey and high standard of compensatory planting.</p> <p>Suggests enlargement of site on either side into the adjacent B4 site because the H2 site is recognised by the Council as one of the few potential expansion areas for the village.</p> <p><u>B1</u></p> <p>No comments received</p> <p><u>B2</u></p> <p>No comments received</p> <p><u>B3</u></p> <p>No comments received</p> <p><u>B4</u></p>		

Natural Heritage

Comment that there may be significant natural heritage issues in terms of the potential impact on ancient woodland category 2a.

Concerns re possible adverse effect on large areas of long established semi natural origin Inventory woodland within site.

Cites national and Highland policy protection for such woodland. Wants evidence of overriding public benefits, no alternatives, loss minimisation, pre-determination species survey and high standard of compensatory planting.

Believes site should be reduced to brownfield element only and should exclude woodland and water bodies in particular.

Species surveys required for reptiles and red squirrels in particular.

Supports site because the site is large enough to accommodate a tourism development without significant loss of mature trees.

Comments that existing mature boundary woodlands are intended to be transferred in to the Estate's long term woodland management plan.

HRA conformity check required re impact upon Pitmaduthy Moss SAC (in terms of hydrology) and Morangie Forest SPA (recreation pressure).

Flood Risk

Depending on layout or type of development proposed drainage will need to be careful consideration at the very least. Flood Risk Assessment will be required in support of any planning application if close to the watercourse or lochans. There are numerous surface water features on this site and the quarry works have almost certainly significantly modified some or all of these. Opportunities for restoration should be investigated as part of any development. This may require significant morphological assessment.

Access

The potential impact of site B4 to the A9(T) needs to be understood.

Site can be serviced adequately.

Council's summary of responses to comments:

General

It is considered that no additional accesses to the Trunk Road network would be created as a result of development in Kildary. Transport Assessments will be required to assess the impact of development on the A9 trunk road.

Sites

H1

The majority of this site has Planning Permission for 20 houses subject to a Section 75 Legal Agreement. As this is the case there are no opportunities for further developer

requirements to be placed on that part of the site.

On the balance of the site it is considered appropriate to ensure that drainage and wetland habitats are key considerations. If this site is allocated, developer requirements related to drainage and production of a Phase 1 habitat survey will be included.

H2

The loss of long established semi-natural woodland is recognised. The landowner has suggested that some of this land could be brought under the Woodland Management Plan Plan of the estate. However prior to the determination of any planning application on the site it would be appropriate to seek information on the condition of the woodland and a detailed programme of compensatory planting. This can be secured as a developer requirement.

The suggested enlargement of the site is considered appropriate, subject to a survey of the condition of the woodland and a detailed programme of compensatory planting.

B1

No comments received

B2

No comments received

B3

No comments received

B4

Natural Heritage

For clarification, the development proposed on this site consists of small pockets of development will not cover the whole development site.

Development on the site would be subject to preparation of a detailed masterplan which addresses the natural, built and cultural heritage issues. This would include the need for detailed landscaping and designing development in a way which does not have an adverse impact on ancient woodland, long established woodland, protected species, designated sites or water bodies either within or connected to the site. Ongoing work on the Habitats Regulations Appraisal of the plan has identified mitigation which would ensure development will not have an impact on the connected European Designated Sites including Pitmaduthy Moss SAC and Morangie Forest SPA. If the site is allocated then developer requirements will be included in the plan to address the above issues.

Flood Risk

Given the past uses and environmental sensitivities of the site it is considered appropriate to include developer requirements related to flood risk and drainage.

It is considered appropriate, given the proposed use(s) that opportunities for restoration should be investigated as part of a masterplanned approach to this site. Any restoration should be supported by sufficient survey work demonstrating the environmental and social benefits.

Access

If allocated, and depending on the scale of development a Transport Assessment will be required to identify the way in which the development will affect the local and trunk road network.

Recommended Proposed Plan Content:

Kildary to be added to the list of Other Settlements in the Other Settlements Policy.

The Inner Moray Firth Local Development Plan is seeking to take a proportionate approach to delivery of a local development plan in which the growth of smaller settlements can be facilitated in a manner which is commensurate with their size and the level of development pressure. Where settlements are not experiencing significant levels of development pressure, where there is a logical direction for further growth of the settlement and where further development would support existing community or small scale commercial facilities these will be assessed a criteria based policy.

In the case of Kildary it is considered it is appropriate to take this approach due to the limited pressure for development, there are clear and logical direction for growth which would consolidate the settlement and there are commercial facilities (filling station and village shop) which would be supported and strengthened by development.

Issue	Milton	
MIR reference:	7.29	
List of persons and organisations who submitted comments (including reference number):		
Hazel Bailey (00638), Mr D Houghton (01245), Mrs Ann Macleod (00639), The Scottish Government (00957)		
Summary of comments received:		
<p>General</p> <p>An appropriate access strategy taking into account the cumulative impact of the various development opportunities should be discussed and agreed with Transport Scotland. It would be expected that existing junctions will be used to access the proposed sites.</p> <p>Cyle/Pathway to link the communities of Milton, Kildary Polnicol, Barbaraville, Pollo, Balintrad, Saltburn and Invergordon to the already developed cycle/pathway linking Invergordon to Alness and Evanton.</p> <p>Sites</p> <p><u>H1</u> Historic Scotland (HS) note that these allocations lie partly within the Tarbat House Inventory Designed Landscape HS are satisfied that they can be delivered without constituting significant effects on the landscapes integrity.</p> <p><u>H2</u> No comments received</p> <p><u>MU1</u> Historic Scotland (HS) note that these allocations lie partly within the Tarbat House Inventory Designed Landscape HS are satisfied that they can be delivered without constituting significant effects on the landscapes integrity.</p> <p>OTHER ALTERNATIVE SITES AND USES</p> <p>The following sites were suggested in representations but were not consulted upon as part of the formal alternative sites and uses consultation. This was due to scale/location in relation to settlement/type of uses of proposed and/or the potential effectiveness of site.</p> <p>Respondent supports a 2.1 hectare site within their landownership should be allocated for housing development for the following reasons</p> <ul style="list-style-type: none"> - the Community Council are in favour of this site over other sites in the corridor of the A9 north of the village such as H2 (as mentioned at the MIR Milton evening meeting) - the land is arable but comprises a very small part which is not ideally suited for modern machinery due to the small size and tight field boundaries - it is a very attractive and marketable site and by contrast the market has not supported the H2 site 		

- it would be a sympathetic development, a logical extension of existing hamlets at Wester Tarbat
- the proposal represents a rounding off of an existing housing group as per the Housing in the Countryside SG
- the landowner owns the land required to upgrade the existing road to the required standards
- servicing of the land is straightforward due to proximity with the electricity and water supply network and the capacity remaining within the sewage works
- the site represents effective and deliverable housing land

Council's summary of responses to comments:

General

It is considered that no additional accesses to the Trunk Road network would be created as a result of development in Kildary. Transport Assessments will be required to assess the impact of development on the A9 trunk road.

Sites

H1

If this site is allocated it would be considered appropriate to include a developer requirement to ensure that due consideration is given to the Tarbat House Inventory Designed Landscape in the design and development of proposals.

H2

No comments received

MU1

If this site is allocated it would be considered appropriate to include a developer requirement to ensure that due consideration is given to the Tarbat House Inventory Designed Landscape in the design and development of proposals.

OTHER ALTERNATIVE SITES AND USES

This site proposed at Wester Tarbat is considered to be detached from the settlement of Milton with little/no opportunities for active travel connections to the community facilities to be made. Through this development plan, sites are not being allocated outwith main settlements unless they make a significant contribution to the delivery of the vision and spatial strategy. A planning application for housing development can be assessed using the policies of the Highland-wide Local Development Plan.

Recommended Proposed Plan Content:

Milton to be added to the list of Other Settlements in the Other Settlements Policy.

The Inner Moray Firth Local Development Plan is seeking to take a proportionate approach to delivery of a local development plan in which the growth of smaller settlements can be facilitated in a manner which is commensurate with their size and the level of development pressure. Where settlements are not experiencing significant levels of development pressure, where there is a logical direction for further growth of the

settlement and where further development would support existing community or small scale commercial facilities these will be assessed a criteria based policy.

In the case of Milton it is considered it is appropriate to take this approach due to the limited pressure for development, there being clear and logical small scale infill and expansion sites and there is both community (school) and commercial (public house) which would be supported and strengthened by development.

Issue	Portmahomack	
MIR reference:	7.33	
List of persons and organisations who submitted comments (including reference number):		
J.A. Wiscombe (00777), Scottish Natural Heritage (00204), Tarbat Community Council (00323), Wood (00776)		
Summary of comments received:		
<p>General</p> <p>Appreciate that the choice of land for development in Portmahomack is limited and that plans must be made for possible future development.</p> <p>Questions whether the road will need to be widened between Rockfield and Portmahomack to cope with increased traffic volumes.</p> <p>Agrees with items listed under Key Development Issues.</p> <p>Bus routes on Tarbatness Road are non existent and not viable.</p> <p>Sites</p> <p><u>H1</u> No comments received.</p> <p><u>H2</u> Requests HRA conformity check because of potential adverse effect upon feeding ground connectivity to Loch Eye and Dornoch Firth & Morrich More SPAs.</p> <p>Concerned with road capacity on Tarbatness Road if the development were to proceed.</p> <p><u>H3</u> Requests HRA conformity check because of potential adverse effect upon feeding ground connectivity to Loch Eye and Dornoch Firth & Morrich More SPAs.</p> <p>Concerned with road capacity on Tarbatness Road if the development were to proceed.</p> <p><u>H4</u> Supports non-preference of sites H4.</p> <p><u>H5</u> Supports non-preference of sites H5.</p>		
Modifications sought by those submitting representations:		

H2

Any developer requirements resulting from HRA conformity check.

H3

Any developer requirements resulting from HRA conformity check.

Council's summary of responses to comments:

General

The bus which serves Portmahomack has a route which uses Tarbatness Road as far as the War Memorial. The bus then heads down to Castle Street. However if future development occurs given the potential scale there is opportunity for the bus route to be extended to serve new development.

Sites

H1

No comments received

H2 and H3

Ongoing work on the Habitats Regulations Appraisal of the plan has identified mitigation which would ensure development will not have an impact on the connected European Designated Sites including Loch Eye and Dornoch Firth & Morrich More SPA.

The existing single track nature of Tarbatness Road between the war memorial and the junction to Knockshortie is a bottleneck at the present time. Without mitigation, any further development is likely to make this more of an issue. Any development brought forward will be required to contribute towards improvements to the local road network, without this contribution this development may not be possible.

H4 and H5

Comments do not require response

Recommended Proposed Plan Content:

Portmahomack to be added to the list of Other Settlements in the Other Settlements Policy.

The Inner Moray Firth Local Development Plan is seeking to take a proportionate approach to delivery of a local development plan in which the growth of smaller settlements can be facilitated in a manner which is commensurate with their size and the level of development pressure. Where settlements are not experiencing significant levels of development pressure, where there is a logical direction for further growth of the settlement and where further development would support existing community or small scale commercial facilities these will be assessed a criteria based policy.

In the case of Portmahomack it is considered it is appropriate to take this approach due to the limited pressure for development, there being only one logical direction for growth (due to physical and heritage based constraints) and where there is both community (school and community centre) and commercial (shop and public house) which would be

supported and strengthened by development.