

Agenda Item	<b>4</b>
Report No	<b>NC/11/20</b>

## HIGHLAND COUNCIL

**Committee:** Nairnshire Committee

**Date:** 2 December 2020

**Report Title:** Inner Moray Firth Local Development Plan 2 - Main Issues Report

**Report By:** Executive Chief Officer - Infrastructure and Environment

### 1. PURPOSE/EXECUTIVE SUMMARY

- 1.1 This report seeks approval for the Main Issues Report for the second Inner Moray Firth Local Development Plan to be published for public consultation. The Main Issues Report enclosed at **Appendix 1** has been shaped by a series of appraisals, engagements and discussions outlined in Section 4 of this report. Approval of this consultation document by Committee will allow The Highland Council to seek views on the options for addressing the main issues affecting the future of the area, and also where to direct future development, in the Inner Moray Firth area.

### 2. RECOMMENDATIONS

- 2.1 Members are asked to:
- i. approve the Main Issues Report (as applicable to this committee area) to be published for public consultation, accepting that a number of minor presentational and typographical changes will be made prior to publication;
  - ii. agree the approach to consultation outlined in paragraph 6.1 of this report; and
  - iii. note the important role that the plan will play in addressing the Climate & Ecological Emergency, economic recovery, and in taking forward The Highland Council's agreed Indicative Regional Spatial Strategy recently submitted to Scottish Government.

### 3. IMPLICATIONS

- 3.1 **Resource** - Resources to complete the statutory processes are allowed for within the Service budget.
- 3.2 **Legal** - The Plan can be challenged in the courts but only on matters of process not planning judgement emphasising the need for The Highland Council to continue to adhere to all statutory procedures throughout the Plan's progress so that The Highland Council will have a defensible position in the event of any challenge.

- 3.3 **Community (Equality, Poverty and Rural)** - An Equalities Impact Assessment (EqIA) screening report has been undertaken and placed on The Highland Council's website and found that a full EqIA is not required. A large part of the Plan area is rural and the Plan supports proportionate and sustainable development within these areas. It also promotes economic and other regeneration proposals within areas of poverty.
- 3.4 **Climate Change / Carbon Clever** - The development plan has been and will be subject to several rounds of environmental assessment including all aspects of climate change, Habitats Regulations Appraisal (HRA) and Strategic Environmental Assessment (SEA). The SEA's Draft Environmental Report is being formulated in close cooperation with the Consultation Authorities and is subject to change prior to publication of the MIR.
- 3.5 **Risk** – As per 3.2 above.
- 3.6 **Gaelic** - Prior to publication, headings and a Member Foreword will be added in Gaelic.

#### 4. **CONTEXT**

- 4.1 The second Inner Moray Firth Local Development Plan (LDP) (in the rest of this report simply referred to as the "Plan") will become the principal, local, land use policy document in determining planning applications and other development investment decisions in the Inner Moray Firth area. The Plan area comprises the eastern part of Ross and Cromarty, Inverness-shire, Nairnshire plus a small, mainly unpopulated, part of Badenoch and Strathspey. It stretches from Garve in the west to Tain in the north and from Auldearn in the east to Tomatin and Fort Augustus in the south. At the end of the review process the Plan will replace the existing Inner Moray Firth LDP and will sit alongside the Highland-wide LDP and other planning guidance in providing a comprehensive suite of planning policy for the Plan area.
- 4.2 The Main Issues Report (MIR) is a consultation document which seeks views on the main issues affecting the area and the options for addressing them. It sets out a suggested vision and spatial strategy, and the options for addressing the main issues that would deliver this vision, as well as options for where land should be allocated for future development. It presents The Highland Council's initial preferences for addressing each of these issues.
- 4.3 The plan is being prepared at a time when a number of significant issues are likely to affect how we plan the future of this area – not least Brexit and the recovery from the implications of the COVID-19 pandemic – while we also seek to deliver against the national and local declaration of a climate and ecological emergency. These issues have been carefully considered in the Indicative Regional Spatial Strategy recently approved by the Economy & Infrastructure Committee and submitted to Scottish Government as part of their preparation of the new National Planning Framework 4. The Plan will play an important role in addressing these major issues and in driving forward The Highland Council agreed vision and strategy for the future. The enclosed Main Issues Report will allow us to seek people's views on the next steps for delivering against the vision and priorities agreed.
- 4.4 The MIR is a culmination of considerable work to date which has included:
- a widely advertised "Call for Sites & Ideas" which yielded close to 300 suggestions which have been assessed for inclusion within the Plan;
  - community council and other community group briefing sessions;

- discussions with and comments from statutory key agencies, Members via informal Ward briefings, other consultees and stakeholders;
- an analysis of key data and trends and monitoring of the success or otherwise of previous and existing Council policies and decision making; and
- specific assessment of environmental, flood risk, transport, infrastructure capacity and viability issues.

## 5. MAIN ISSUES REPORT CONTENT

The sections of the MIR can be summarised as follows:

### 5.1 Vision and Outcomes

- 5.1.1 The MIR has taken account of The Highland Council's Indicative Regional Spatial Strategy for the future by tailoring this to the Inner Moray Firth area through four headline outcome statements covering *Growing Communities*, *Employment*, *Connectivity* and *Environment*. These outcome statements represent the suggested vision for the future of the Inner Moray Firth area.
- 5.1.2 Our analysis of recent and future trends across these four *Outcome* topics has established a case for change. This sets out the major issues where a change is required to help make the Inner Moray Firth a better place. In particular, this *Case for Change* has two cross-cutting issues to address – *Post COVID-19 Economic Recovery* and *The Climate Change and Ecological Emergency*.
- 5.1.3 We are also using the MIR to seek views on how some of the measures outlined in the new Planning Act should be introduced in how we plan for the area. This includes:
- a strategy for managing and better auditing open space;
  - options to address housing provision for an ageing population and to create opportunities for self build;
  - making best use of existing infrastructure and planning for future needs by aligning with Capital Programmes through the LDP Delivery Programme; and
  - finding better ways to incorporate renewable sources of energy as standard, particularly in larger developments.

### 5.2 The Main Issues

- 5.2.1 Taking account of all of the above Section 1.2 of the MIR identifies 9 Main Issues which represent the top priorities for the future the area. The MIR seeks people's views on a series of options for addressing these main issues, including a Council preferred option.
- 5.2.2 The 9 main issues, and the suggested The Highland Council preferred options for each, can be summarised as follows:
- i. *Addressing The Climate and Ecological Emergency*
    - By reinforcing a strategy which is underpinned by the climate and ecological emergency and drives its delivery; and
    - By seeking options to secure more sustainable sources of energy.
  - ii. *Supporting a strong, diverse and sustainable economy*
    - By prioritising how we respond and recover to the immediate pressures, whilst progressing and transitioning to a green circular economy;
    - By reinforcing and strengthening the role of our City and Town Centres as the focus for business, retail, leisure, social and cultural activity; and
    - By capitalising on our unique natural assets to allow new and existing businesses to thrive.

- iii. Growing the most sustainable places
  - By focussing a higher proportion of development in our existing settlements whilst supporting sustainable rural development;
  - By better supporting the delivery of self build within settlements; and
  - By making best use of land through appropriate densities and the location of services.
- iv. Delivering affordable housing
  - improving how we meet the need for affordable housing, including earlier phasing of affordable homes within larger development areas.
- v. Matching development with infrastructure capacity
  - By making best use of the capacity of existing infrastructure such as schools, healthcare and the transport network; and
  - Digital infrastructure being prioritised as much as physical infrastructure.
- vi. Creating a more healthy, sustainable transport network
  - By proposing a transformation in how we manage existing and new infrastructure to prioritise sustainable travel;
  - By proposing more rigorous measures for assessing the suitability of development sites for sustainable transport and accessibility; and
  - By identifying a new transport strategy, policy and delivery mechanisms.
- vii. Identifying and safeguarding valued, local green space
  - By better auditing, protecting and enhancing areas and corridors of green, blue and open space.
- viii. Placemaking
  - By introducing a new *Placemaking Audit* to raise design standards and create better neighbourhoods.
- ix. Meeting the needs of an ageing population
  - By exploring new ways to improve the delivery of housing for our ageing population.

### 5.3 Spatial Strategy

5.3.1 The *Spatial Strategy* map in Section 2 of the MIR at **Appendix 1** is a visual expression of the broad spatial priorities, settlement hierarchy and infrastructure projects for the plan area. The settlement hierarchy, which is explained further in Section 1.2 of the MIR, proposes the reclassification of several settlements so that we plan for a level of growth more proportionate and appropriate to that place. This is based upon evidence that the place has no proven demand for, or supply of, significant housing and other development land and/or the settlements lack any sustainable travel connections or local facilities and employment opportunities. Cawdor, Contin, and Inchmore and existing identified smaller settlements at Advie, Ardross, Bunchrew, Croachy, Cullicudden, Daviot, Dochgarroch, Easter Kinkell, Ferness, Invermoriston, Kilcoy, Kildary, Kilmorack, Mulbuie, Pitcalnie, Resolis, and Struy are suggested for reclassification.

5.3.2 The Highland Council's approach to Housing in the Countryside seeks to encourage small scale rural development whilst also balancing The Highland Council's commitment to *The Climate Change and Ecological Emergency*. The more detailed policies for Housing in the Countryside are currently subject to review through the associated Supplementary Guidance being published for consultation through October and November. The MIR also sets out options that relate to the support for sustainable rural development. It proposes that Growing Settlements continue to be identified as an important part of the settlement hierarchy where proportionate development is supported through a general policy but where no specific allocations are identified. The area of the Plan covered by Hinterland, within which more rigorous criteria for housing in the countryside apply, is also subject to review through

the MIR. The Highland Council preferred approach to the *Hinterland* boundary is to introduce a small change at Belivat, Nairnshire to guard against sporadic development. A suggestion put forward for a significant contraction to the Hinterland in Easter Ross is included within the MIR as an option to explore people's views.

5.3.3 The level of growth that the Plan will need to seek to accommodate, particularly for future housing, has been informed by the Housing Need and Demand Assessment process, with the most recent HNDA being published in 2015. The site options identified in the MIR are considered to be more than sufficient to accommodate the level of development identified in the 2015 HNDA, albeit that the MIR highlights a significant challenge for the delivery of affordable housing to keep pace with rising needs. An updated HNDA is being prepared which will inform the next stage of the plan process. The MIR's preferred approach is to use that new HNDA, along with feedback from the consultation and more detailed consideration of local circumstances, to help finalise the amount of land that needs to be allocated in the Plan.

#### 5.4 Settlement Priorities and Site Preferences

The suggested *Vision, Outcomes* and our suggested approaches to the Main Issues have influenced our *Placemaking Priorities* and development site preferences for all of the settlements identified within the Plan.

5.4.1 The detailed settlement and site-specific content relevant to this committee area is set out at **Appendix 1** and is summarised in the following paragraphs. The outcome of analysis of any existing area guidance linked to the adopted Plan – such as Development Briefs and Town Centre Action Plans – and how it might be carried forward, is set out in the relevant area section of the MIR and summarised as appropriate below.

5.4.2 Auldearn has been identified in the third tier of the settlement hierarchy due to its relatively small scale, few facilities, pressure on the primary school and limited sustainable travel options. With a major housing development recently completed at Montrose Avenue it is not considered necessary to allocate additional large housing sites. The more logical expansion sites which would round off or infill Auldearn have been shown as Alternative as further information is required to demonstrate that development can be well integrated with the existing village and surface water and access issues can be resolved. Other site options would have a greater landscape impact or affect areas of prime agricultural land. At the Proposed Plan stage, Auldearn may be reclassified as a Growing Settlement unless evidence is submitted during the Main Issues Report consultation which addresses the issues above.

5.4.3 Cawdor is also not seen as a suitable place for strategic growth given its lack of key facilities, environmental constraints and very limited public transport options. New residents would be almost entirely reliant on car-based transport. In addition, since Cawdor was first earmarked for development, the spare capacity in the local primary school has been taken up. We are not proposing to allocate any specific sites for development in Cawdor but instead reclassify it as a Growing Settlement which will support incremental, small scale rounding off and infilling of development.

5.4.4 Given its good transport links and strategic role within the wider county, we think that Nairn should maintain its place in the top tier of the settlement hierarchy and be the focus of the area's growth. The town centre continues to be the first preference for development with the core area covered by a mixed use allocation. Elsewhere, alongside the development that is well underway at Kingsteps, we are supporting land allocations to meet housing needs and provide flexibility. We are preferring the allocation of Sandown as it is within common good ownership and free of major constraints. A reduced housing allocation at the former Showfields is also recommended for inclusion. Land at Nairn South and Delnies have been shown as Alternative because more information is required to demonstrate that necessary

infrastructure improvements can be delivered. We have Non-Preferred the proposal at Granny Barbour's Road as it is slightly more detached from the existing settlement edge and requires a relatively high level of new infrastructure to accommodate the proposed levels of growth. The Highland Council is also keen to help address barriers to development and work with the community to ensure that their ambitions can be delivered and that infrastructure needs are in line with community needs.

## **6. PROPOSED CONSULTATION ARRANGEMENTS**

- 6.1 The 1<sup>st</sup> July 2020 Economy and Infrastructure Committee agreed The Highland Council's intended public consultation methods given the current and likely future restrictions resulting from the COVID-19 pandemic. It is suggested for Members' consideration that the MIR be subject to a minimum 8 week consultation period starting as soon as practicable following the fifth area/local committee meeting. Face-to-face events, subject to the Scottish Government COVID-19 advice applicable at that time, will be considered. Given the likely continuing restrictions on public face-to-face meetings it is proposed that innovative, enhanced online digital methods be used to better engage the public and ensure adequate participation and responses. We will monitor the evolution of advice from Scottish Government as well as the number of responses and consider further consultation methods or a longer period if required. We will also send out neighbour notification letters for all larger, proposed development sites which is beyond the statutory consultation requirement and seek press article coverage via printed press and social media briefings.

## **7. NEXT STEPS**

- 7.1 Next year, representations received from this consultation will be reported back to the 5 relevant area/local committees for comment, and thereafter to the Economy and Infrastructure Committee, for decision on what the Plan should contain in its Proposed Plan form. This next stage of the Plan represents the settled view of The Highland Council which is then re-issued for public consultation.
- 7.2 Any party whose comments do not align with The Highland Council's Proposed Plan then has an opportunity to have its views heard by an independent Scottish Government appointed Reporter, who then makes binding recommendations back to The Highland Council on the final plan to be adopted by The Highland Council.

Designation: Executive Chief Officer - Infrastructure and Environment

Date: 16 November 2020

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Appendices: Appendix 1 – Inner Moray Firth Local Development Plan - MIR

Background Papers:

1. Call for Sites and Ideas Responses: Various: 2019
2. Inner Moray Firth LDP: Strategic Environmental Assessment: draft Environmental Report: October 2020
3. Inner Moray Firth LDP: Draft Monitoring Report: October 2020
4. Inner Moray Firth LDP: Equalities Impact Assessment Screening: August 2020

The above documents are available at: [www.highland.gov.uk/imfldp](http://www.highland.gov.uk/imfldp)