

Agenda Item	4
Report No	CIA/26/22

HIGHLAND COUNCIL

Committee: City of Inverness Area

Date: 24 November 2022

Report Title: Inner Moray Firth Proposed Local Development Plan 2

Report By: Executive Chief Officer Infrastructure, Environment & Economy

1 Purpose/Executive Summary

- 1.1 This report presents the outcome of this year's consultation on the Inner Moray Firth Proposed Local Development Plan and the suggested Council response to place-specific matters within the Committee area. Strategic matters will be subject to a separate report to 2 February 2023 Economy and Infrastructure Committee. Next steps are explained including the examination of issues raised in unresolved representations by a Scottish Government appointed Reporter.

2 Recommendations

2.1 Members are asked to:-

- i. **Agree** the recommended Council response to the place-specific issues relevant to this Committee area raised in representations received on the Proposed Plan as set out in **Appendix 1**;
- ii. **Note** the issues raised in representations as they relate to strategic matters that may have implications for this Committee area and note the working draft response to these issues as set out in **Appendix 2**;
- iii. **Authorise** officers to undertake the statutory and other procedures required to submit the Plan to Scottish Ministers and to progress the Plan through its examination up to but excluding the Plan's adoption; and
- iv. **Authorise** the Executive Chief Officer Infrastructure, Environment & Economy, in consultation with the chair of this Committee, to make any necessary Habitats Regulations Appraisal, factual or other non-material changes to **Appendix 1** prior to its submission to Scottish Government.

3 Implications

- 3.1 **Resource** - resources to complete the Plan's 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 judgment emphasising the need for the Council to continue to adhere to all statutory procedures throughout the Plan's progress so that the 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 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 Environmental Report continues to be formulated in close cooperation with the Consultation Authorities and continues to be updated to reflect that input.
- 3.5 **Risk** – as Legal above.
- 3.6 **Gaelic** – the Plan contains headings and a Member Foreword in Gaelic.

4 Context

- 4.1 A Local Development Plan (LDP) provides the land use planning framework for planning advice and decisions but it also helps the Council, partners and communities to support changes and improvements across Highland and to achieve local and national outcomes. The second Inner Moray Firth 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 Plan has reached an advanced stage and is already the culmination of considerable input from local residents, statutory consultees, the development industry, Members and officers. The seven relevant Council committees approved the Inner Moray Firth Proposed Local Development Plan as the settled view of the Council at meetings in late 2021. The Plan was then issued for public consultation between March and June 2022.

4.3 Each council has a statutory duty to keep its local development plans up to date. The existing plan for the Inner Moray Firth is already 7 years old and there is a need to ensure that policies and development allocations are up to date and appropriate to support and enable development that meets the needs of current and future communities. Accordingly, this report recommends that the Council submits the Plan for examination in the most efficient manner. All affected parties have already had an opportunity to lodge comments so the Plan can now be passed to the Scottish Government appointed Reporter without prejudice to any viewpoint. Therefore **Appendix 1** does not recommend any significant changes to the Council's settled view as agreed at meetings in late 2021 but does suggest, for the Committee's and then the Reporter's consideration, minor readjustments to take account of representations made to the Proposed Plan.

4.4 **Appendix 1** does recommend several clarifications of the Council's position for the Reporter to consider and take account of where:-

- new factual evidence has come to light since the Council reached its settled view;
- Council decisions have been taken since December 2021 that have changed that view; or
- other circumstances have changed significantly since December 2021.

For example, new planning permissions have been granted, the position of some landowners has changed, national planning policy is changing, legal burdens have been revealed and new potential environmental effect information is being provided. The last of these matters concerns potential adverse effects on protected European natural heritage sites. **Appendix 1** contains occasional clarifications of the Council's position for the Reporter to consider in light of information supplied by NatureScot. This issue requires action because the Council cannot adopt the Plan unless it can be concluded that it would not adversely affect the integrity of any European site.

4.5 The Plan is being prepared under current but soon to be superseded planning legislation. For plans being prepared under current legislation, Scottish Government has instructed each local planning authority that it must publish any proposed LDP before the Scottish Parliament's approval of National Planning Framework 4 (NPF4), which is currently scheduled to happen before the end of 2022. Therefore, it would be impracticable for the Highland Council to re-issue a new Proposed LDP within this timescale.

5 Proposed Plan Comments

5.1 Over 1,240 comments have been received from over 440 respondents. 70% of comments related to specific places and the other 30% to the Plan's strategy and general (Plan area-wide) policies. In August 2022, an email was sent to all Plan area Members containing a webpage link to all comments received. Comments have been publicly available via [this webpage](#) since then. **Appendix 1** contains a full summary of place-specific comments for this committee area. Respondents who submitted late comments are identified in italics.

5.2 Since the publication of the Proposed Plan the Opportunity Cromarty Firth (OCF) bid for Green Freeport status has been finalised and submitted to Scottish Government and UK Government including confirmation of the sites sought to be covered. In June 2022 full Council endorsed the OCF bid noting the range of benefits for Highland communities, the potential to attract major inward investment and jobs, alongside custom and tax incentives.

The announcement on Green Freeports in Scotland is awaited. Comments received from certain OCF representatives during the Proposed Plan consultation seek to align the plan with the land sought to be covered by Green Freeport status.

5.3 The following **place-specific issues** are relevant to this Committee area.

- At **Ardersier**, one respondent requests the boundary of AR02: East of Station Road is slightly reduced as it extends onto their land at present.
- At **Beaully**, a local community group requests better referencing of inter settlement active travel links and Scottish Environment Protection Agency (SEPA) requests more accurate referencing of the environmental importance of local watercourses. One local resident objects to the principle of any development on the Fraser Street allotments site.
- At **Croy**, there are several objections, including from the community council, to further development in Croy, particularly CR02: North West of Primary School, due to the lack of facilities in Croy, the pressures which development has had on existing infrastructure provision (particularly education and transport) and the impacts which further development will have on infrastructure. Some also question the need for further housing in Croy. The landowner of CR01 and CR02 supports the allocations.
- At **Dores**, the community council support the Placemaking Priorities. The landowner and community council object to the non-allocation of the land for housing to the east of DO01 'Land South of Dores Hall' up to the B862 because it can form part of an effective housing land supply and allow for creation of a community woodland. The community council also objects to the non-allocation of land north of the playing field (allocated for community uses in the adopted IMFLDP) and land south of the village, west of the B862 for future employment uses. NatureScot highlights woodland interest on DO01 and suggests additional / amended Developer Requirements.
- At **Drumnadrochit**, community groups oppose the scale of planned housing growth but also desire, protection of more greenspaces, and improvements to local infrastructure capacity, community facilities and public transport connectivity. Opposition to development off the Bunloit road is expressed. The owner of land south of the medical centre at Lewiston requests a village expansion area on the land. Several community bodies object to any housing use of the former Scotmid Coop site but the landowner seeks a higher housing capacity.
- Within **West Inverness**, community councils seek recognition of planned improvements at Bught Park and the Northern Meeting Park, and exclusion or limitation of uses on sites at Westercraigs North (INW05), Torvean Quarry (INW07) and Torvean South (INW09) as well as improvements to active travel networks. Concerns are also expressed by Merkinch Community Council regarding environmental impacts and infrastructure adequacy at Merkinch Shore (INW14). Developers seek the allocation of additional sites at Westercraigs, increased site capacity at Stornoway Drive (INW01), exclusion of protected greenspace at Clachnaharry and less onerous developer requirements at Merkinch Shore (INW14).

Neighbours express concern regarding impacts of housing at Stornoway Drive (INW01) and loss of valued greenspace at West of St Valery Avenue (INW04). Key agencies, specifically NatureScot and SEPA, seek additional environmental and flood risk related developer requirements for a small number of sites.

- Within **South Inverness**, community groups and local residents oppose the scale of planned and developer suggested development, and the lack of infrastructure capacity to support it. These respondents also seek the protection of local greenspaces from development particularly at Fairways and Drakies. In contrast, the development industry object to the Plan's non-identification of sites at Fairways, Welltown of Leys and Milton of Leys South for residential expansion areas and for retail development at Sir Walter Scott Drive and Dell of Inshes. Retail developers seek greater protection of their interests at Inshes, Ness-side and Holm Mills. Local residents oppose the principle of non-car links at Raigmore and Culcabock Avenue. Community groups and local residents also oppose the addition of housing development to a potential allotments' proposal at Knocknagael.
- Within **Central Inverness**, there are requests for the Plan to ensure development delivers genuine mixed-use communities and for OCF/Green Freeport/Harbour Gait to be a City-wide and Central Inverness Placemaking Priority. Several respondents object to allocations for redevelopment of Diriebught Depot (INC01) and Porterfield Prison (INC02) based mainly on road and amenity impacts. The owner of commercial property next to INC02 seeks it is included within the allocation. Many objections to Harbour Gait (INC06) were received citing adverse impacts on the water environment, flood risk and the visual amenity of North Kessock residents. Port of Inverness and Port of Cromarty Firth request that the boundary of INC06 is extended to include an area east of the Kessock Bridge to allow for new enhanced marina and reconfiguration of the existing port (as per OCF Green Freeport bid). One respondent objects to INC07 & INC08 citing the vital importance of the existing parking provision for the operation of the stadium. Many respondents object to the commercial allocations at the former Longman landfill (INC09 & INC11) and request it be allocated for community/greenspace use because it is the last remaining opportunity for a waterfront green space. industrial development, there being better alternative locations for such uses, and ongoing toxicity issues of the land. SEPA and NatureScot request several more technical, additional and amended developer requirements for INC06-09 & INC11.
- Within **East Inverness**, Balloch Community Council expresses concern regarding the ability to develop land around Balloch Village Hall and Primary School for community purposes. Developers seek the allocation of additional sites at Myrtlefield, Blackpark, Lower Muckovie, The Tower and land south of the Drumossie Hotel and expansion of the settlement development area to include the Drumossie Hotel to help facilitate major development within its grounds. An extension is requested to the boundary of Milton of Culloden (INE07) and Inverness Campus (INE08). A landowner objects to Ashton West (INE13) as they have no development intentions for the site. Recognition of a commercial centre is sought for West Seafield Retail Park and changes to the uses and developer requirements at nearby Eastfield Way (INE09).

Neighbours object to Milton of Culloden (INE07), Castlehill (INE11), Cradlehall Court (INE14), Stratton Central (INE17) and Balloch Farm (INE18) for various reasons including lack of infrastructure capacity, loss of amenity, environmental impacts and desires for alternative land uses. SEPA requests additional developer requirements for flood risk assessments on a limited number of sites.

- At **Kiltarlity**, a landowner seeks a new village expansion area north of the hall, local residents seek further privacy safeguards for allocated sites and SEPA seeks a groundwater contamination assessment requirement for any burial ground extension.
- At **Kirkhill**, a local community group requests better referencing of active travel links, a local landowner seeks a house site at Clunes and housebuilders seek the allocation of land at Achnagairn and Wester Kirkhill.
- At **Tomatin**, one respondent objects to the non-retention of the large protected greenspace as per the adopted IMFLDP. Transport Scotland highlights that any decision on reopening of the station would need to be informed by the outcome of a STAG study. A neighbour objects to allocation of land North West of Railway Viaduct (TM02) because of the impact on their property, flood risk and environmental impacts, a lack of a public sewerage solution, and because affordable housing delivery on TM01 is not a suitable justification for allocation of TM02.
- At **Tornagrain**, the landowner seeks minor amendment to the second Placemaking Priority to clarify the relationship between the main transport infrastructure requirements (A96 roundabout upgrade and A96 dualling) and the development of Tornagrain and requests reference is made to other relevant permissions. The Woodland Trust supports exclusion of native woodland from the allocation. A resident of the existing Tornagrain village highlights the lack of connections between the two and seeks a requirement for delivery of an active travel connection.
- The Committee area's **Economic Development Areas at Castle Stuart, Dalcross Industrial Estate, Fort George, Inverness Airport Business Park, and Whiteness** attracted several comments. At Castle Stuart one respondent raises concerns about existing HGV problems and lack of maintenance and NatureScot seek additional Developer Requirements. At Fort George, two neighbours seek removal of a woodland area surrounding their properties from the allocation. The MoD and Historic Environment Scotland (HES) support the allocation and HES seeks the need for any developer to undertake a Conservation Plan. NatureScot seeks several additional/amendments to the site's developer requirements. At Inverness Airport Business Park, several respondents highlight the need for further enhancements to active travel provision. PDG Aviation objects to Dalcross Industrial Estate Expansion (IA02) being allocated due to it being inappropriate to allocate land in close proximity to an established heliport and cites a lengthy legal and planning history which supports this position. At Whiteness, several respondents, including Nairn West & Suburban Community Council, object to the Plan supporting heavy industry returning to the site due to the sensitive surrounding environment and impacts on it from industrial development. NatureScot seeks additional/amended Developer Requirements.

- In terms of **Growing Settlements**, Balnain, Foyers and Inchmore have attracted comments. At Balnain, the community council seeks highlighting of development potential at the central forestry buildings site. At Foyers, respondents generally express support for the Plan but query how Farigaig and Boleskine fit with the Placemaking Priorities for Foyers and seek that reference to the weight of the recently prepared Stratherrick and Foyers Community Action Plan is changed to 'guidance' instead of 'material consideration'. At Inchmore, a landowner seeks a far more positive allocation of land for housing west of the former primary school.

5.4 **Strategic issues** will be considered at the Economy and Infrastructure Committee meeting on 2 February 2023. **Appendix 2** sets out the issues raised in representations as they relate to strategic matters that may have implications for this Committee area. These issues are very briefly summarised in the following bullet points:-

- Several parties query the relative weighting of the Plan **Outcomes** in policy formulation and decision making seeking a greater weighting for environmental matters or alternatively for the construction sector of the economy. Several others request amendments to reflect: the Scottish Government's draft NPF4 20-minute neighbourhood concept; the preparation of local place plans; the importance of Gaelic; the role of onshore wind and the transmission network in meeting net zero; and, safeguarding of defence assets.
- There is broad support for the **Settlement Hierarchy** but some developers seek to elevate a settlement to justify a larger development within it, and some communities urge the Council to tackle the economic viability and environmental sustainability disadvantages that cause a settlement to be in a lower tier (greater subsidise active and public transport connectivity).
- Views on the **Hinterland** are mixed with development industry connected parties urging a more permissive approach to housing in the countryside and others supporting the current Plan position or suggesting a more restrictive policy.
- Again, the Plan's **Spatial Strategy** has broad support but many seek clarifications/amendments for example to: explain how any competing tourism and renewables industry proposals will be resolved; reference Gaelic; downplay the reference to the Council's draft indicative Regional Spatial Strategy; explain the status of Special Landscape Areas; explain why locational guidance for renewable energy isn't included; and, reference improvements to the electricity transmission network.
- Most relevant to local/City committee decision making is the debate about the adequacy and effectiveness of the Plan's **Housing Requirements**. Development industry respondents argue that there is a significant shortfall in the land genuinely available and ready for development by housebuilders. In contrast, several community councils dispute the Plan's figures as too high and/or unlikely to deliver sufficient affordable housing for local people.
- The **General Policy** most relevant to local/City committee decision making is that on **Infrastructure Delivery**. This includes several responses from community groups querying the adequacy, collection, ringfencing and allocation of developer contributions. Most community respondents seek lower growth or even an embargo on any growth until all infrastructure networks are improved.

The development industry bemoans the impact on the viability of their sites from the additional financial and other requirements within this and other Plan General Policies. Also relevant to the City Committee are the general policies on Town Centre First, Increasing Affordable Housing and Development Briefs. Most comments on these issues have been lodged by the development industry and oppose increasing the Inverness City affordable housing quota to 35%, request policy protection for existing retail parks and other commercial centres and seek clarification of potential conflicts between development brief and other Plan provisions.

6 Recommended Council Position

6.1 **Appendix 1** contains the Council's case to examination on each place-specific issue raised in representations for this committee area. Cross references to supporting documents are shown as [*] and will be added post committee.

6.2 The following **place-specific responses** are relevant to this Committee area.

- At **Ardersier**, the access into AR02 is expected to be direct from Station Road and therefore addresses the respondent's concerns. A minor boundary reduction is suggested to avoid slight overlap onto the neighbouring properties.
- At **Beauly**, minor readjustments are suggested to better reference active travel routes and local watercourses. Objections to the Fraser Street allotments site are noted but the counter argument of the need for central accommodation for the ageing population is also made.
- At **Croy**, the thorough and ongoing appraisal of infrastructure requirements associated with development sites has been set out. A number of the Placemaking Priorities for Croy also already relate to infrastructure improvements, particularly in relation to education and the transport network. The response highlights that CR01 has planning permission and is currently being built out and CR02 was shown as 'phase 2' within that consent with certain infrastructure capacity provided upfront.
- At **Dores**, the suggested additional Placemaking Priority for improvements to the transport network has been supported. It is not considered appropriate to amend the Plan to include: 1) land north of the playing field which was allocated for a sports pitch in the adopted IMFLDP due to there being no specific plans for the site; 2) land suggested for employment uses south of Dores due to it being disconnected from the village and is a sloping, wooded site; and, 3) proposed extension of DO01 to the east due to landscape and settlement character impacts and lack of suitable active travel connection.
- At **Drumnadrochit**, all of the opposed allocations already benefit from an adopted plan allocation and/or a planning permission. The one potential new site, south of the medical centre is not supported. The former Scotmid Coop site is retained for housing but at a lower capacity than the owner wishes and with adequate safeguards for adjoining shinty club interests.

- Within **West Inverness**, an additional Placemaking Principle is suggested to the Reporter to recognise the significant investment planned at Bught Park and the Northern Meeting Park. No changes are suggested at Westercraigs North as planning permission has been permitted (subject to conclusion of legal agreement); Torvean South because the site is contained within an adopted development brief and its development in the context of the wider area continues to strike a careful balance between the provision of greenspace and realising economic and placemaking benefits; Stornoway Drive as it forms part of the established spatial strategy and developer requirements will ensure sufficient mitigation and West of St Valery Avenue as the loss of greenspace can be mitigated by upgrading an existing greenspace close by. Additional allocations at Westercraigs are not supported as there are other adequate, better located opportunities for housing and tourism development elsewhere. At Clachnaharry the greenspace did not meet the revised criteria for protection but is recommended to be shown as a green network. It is agreed that a number of developer requirements at Merkinch Shore are overly onerous taking into account the scale and nature of the allocation, and a recommendation is made to the Reporter for a number to be deleted. Remaining developer requirements will ensure any environmental impacts are minimised and appropriate infrastructure provided. At Torvean Quarry an additional developer requirement is recommended to clarify that development should be restricted to existing quarried areas, other existing requirements are adequate to ensure any land use conflicts and environmental impacts are limited. Requests from SEPA for additional requirements related to flood risk on particular sites are recommended for inclusion.
- Within **South Inverness**, all the development industry new site suggestions are rejected because of legitimate local concerns about infrastructure capacity, publicly accessible and useable greenspace, and the adequacy of the existing housing land supply. The existing housing allocation at Sir Walter Scott Drive is suggested for deletion given those same issues and new evidence of the terms of a legal agreement that reduce its economic viability. Alternative non-car connections are suggested at Drakies House and being taken forward at Raigmore. Commercial centres at Inshes, Ness-side and Holm Mills don't merit protection because they aren't town centres. The community's proposed acquisition for allotments of land at Knocknagael has been refused by Scottish Government. However, the Plan supports a compromise solution that would deliver both affordable housing and community growing space.
- Within **Central Inverness**, additional Placemaking Priorities are suggested for: 1) ongoing master planning work for the sites in the city centre (INC03 & INC04) and the delivery of an integrated transport network; and, 2) ensuring that development along the water frontages contributes positively towards the landscape, environment and improve accessibility. For Diriebught Depot (INC01) it is suggested that explicit reference be added for a Transport Assessment to be undertaken. A slight expansion of Porterfield Prison (INC02) to incorporate the adjoining Reay House is suggested to the Reporter. Requested expansion of Harbour Gait (INC06) to include area east of the Kessock Bridge is supported as it aligns with the Green Freeport bid boundary, albeit amendments are also suggested to the Developer Requirements relating to noise/amenity impacts, environmental and flood risk assessments and the need for a development brief. Amendments are also suggested for two sites on Stadium Road (INC07 & INC08) to ensure there is no net decrease in parking in the area.

Given the strategic importance of the Longman Landfill (INC09 & INC11) for employment and green energy opportunities, the site is retained. However, additional requirements are suggested to provide greater protection of the environment and consideration of visual impacts, particularly as a gateway site and active travel connections to the east.

- Within **East Inverness**, no changes are suggested at land around Balloch Village Hall and Primary School as the principle of development is acceptable in these areas. Additional allocations at the locations specified above are not supported as there are other adequate, better located opportunities for housing and mixed-use development elsewhere. Extensions to Milton of Culloden are resisted due to the presence of constraints and at Inverness Campus due to land take associated with East Link. However, an extension to a housing allocation at Easterfield (INE01) and increased housing capacity is suggested to the Reporter to reflect the outcome a recent planning appeal. Ashton West continues to be allocated as part of the Inverness East expansion area as a late phase of development. No commercial centre recognition of West Seafield Retail Park is recommended to help reflect town centre first principles and developer requirements and uses are continued to be considered appropriate at Eastfield Way. Existing developer requirements will ensure concerns expressed by neighbours can be suitability mitigated. Requests from SEPA for additional requirements related to flood risk on particular sites are recommended for inclusion.
- At **Kiltarlity**, the new village expansion is rejected as currently unnecessary but minor adjustments to safeguard neighbour privacy and groundwater quality are supported.
- At **Kirkhill**, active travel coverage within the Plan is deemed adequate, the suggested new site at Wester Kirkhill is rejected but the reallocation of land at Achnagairn is suggested for the Reporter's consideration given its access constraints appear to have been overcome and other allocations will be exhausted early within the Plan period. Similarly, the suggested single house site at Clunes has sufficient merit to be suggested for inclusion within the settlement's development boundary.
- At **Tomatin**, it is suggested that reference be added to the Placemaking Priority for a potential reinstatement of the rail halt subject to a Strategic Transport Appraisal Guidance (STAG) study. It is also suggested to the Reporter that woodland to the west of the settlement is identified as a Green Network to provide a greater level of protection.
- At **Tornagrain**, a minor amendment is suggested to clarify the approved planning position and the relationship between the development of Tornagrain and upgrades to the A96. Reference to an active travel connection with the original Tornagrain village is also suggested to the Reporter for inclusion.
- The Committee area's **Economic Development Areas include Castle Stuart, Dalcross Industrial Estate, Fort George, Inverness Airport Business Park, and Whiteness**. At Castle Stuart, the response highlights that the concerns raised are already covered by site developer requirements text and general policies. At Fort George, it is suggested to the Reporter that the wooded area surrounding 1 & 2 The Common is shown as Green Network and amendments are made to the European Site mitigation wording.

At Inverness Airport Business Park, the sensitivities of the supporting development adjacent to a busy heliport are acknowledged and supports an explicit developer requirement that it is taken into account. However, the site is retained for flexibility in case of a change in circumstances. At Whiteness, the site is retained due to its strategic importance for the renewable energy industry and associated employment potential. Additional requirements relating to environmental assessment which were requested by NatureScot will be suggested to the Reporter.

- In terms of **Growing Settlements**, at Balnain, the community council's suggestions are supported by the existing Plan text and a more positive reference to the suggested development site would be inappropriate since it is subject to flood risk. At Foyers, general support is noted, and clarification given in regard to the weight of the Stratherrick and Foyers Community Action Plan. At Inchmore, the existing Plan text Plan offers support proportionate to the suggested development site's constraints.

6.3 **Strategic issues** will be considered at the Economy and Infrastructure Committee meeting on 2 February 2023. The Council's position on many of these issues will have to be adjusted to take account of the approved NPF4, which will hopefully be issued in time to inform the February report. For this committee's information, **Appendix 2** sets out a 'working draft' response on those strategic matters that may have implications for this Committee area. In light of comments received and changes to date in circumstances since December 2021, the following minor adjustments to the Council's position are recommended first to Members and if agreed then to the Reporter.

- Altering the **Plan Outcomes** to reference: the crossover benefits between greenspaces and active travel; the overarching aims of tackling economic recovery and the climate and ecological emergencies; Gaelic heritage; and, the 20-minute neighbourhood concept if embodied within NPF4.
- Clarifying the Plan's **Spatial Strategy** to: correctly reference the status of the Council's draft indicative Regional Spatial Strategy and Special Landscape Areas; and, reference funded future improvements to the electricity transmission network.

Other issues raised are adequately addressed within the Plan, other existing Council planning policies or are out with the Plan's/Council's remit/resources. In particular, the Plan's **Housing Requirements** and housing land supply have been evidenced through the 2022 Housing Land Audit to be sufficient and effective relative to the target set by Scottish Government. Similarly, the general policies on Town Centre First, Increasing Affordable Housing and Development Briefs are also deemed adequate subject to minor factual changes and clarifications. Officers intend to review internal policy and practice in relation to community facility developer contributions.

7. Next Steps

7.1 After the six relevant local/City committees have approved their respective place-specific elements of the Council's response and the Economy and Infrastructure Committee has approved the strategic elements then it is intended to submit the Plan, the schedules in **Appendix 1** and other related material to the Scottish Government. In early 2023, at least one reporter will be appointed to consider the issues raised in representations.

The examination process will take around one year at the end of which the Reporter's Report is published containing binding recommendations on how the Plan should be changed prior to its final adoption by full Council decision.

Designation: Executive Chief Officer Infrastructure, Environment & Economy

Date: 10 November 2022

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Background Papers: 1. Inner Moray Firth Proposed LDP (IMFpLDP): March 2022
2. Comments Received on IMFpLDP: March to June 2022
3. Inner Moray Firth LDP: Strategic Environmental Assessment:
Revised Environmental Report: March 2022
4. Inner Moray Firth LDP: Revised Transport Appraisal: March
2022
5. Inner Moray Firth LDP: Revised Equalities Impact Assessment:
March 2022

The above information is available at: www.highland.gov.uk/imfldp

APPENDIX 1: PLACE-SPECIFIC MATTERS

Issue 20	Ardersier	
Development plan reference:	Plan sections, PDF Pages 92 - 97	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
Brian Songhurst (1323129)		
Provision of the development plan to which the issue relates:	Ardersier, PDF Pages 92 - 97	
Planning authority's summary of the representation(s):		
<p>AR02: East of Station Road <u>Brian Songhurst (1323129)</u> Respondent states that the properties of Station Cottage (owned by the respondent's family) and Oaktree House (owned by the respondent) will be directly affected by this development and, due to safety concerns and crossing their private drive, wants to ensure that there will be no shared access. Respondent also highlights two issues with the boundary of the allocation: 1) the strip of land between Station Road and the allocation is within the ownership of another family member, 2) as shown in an attached a map, a section of the allocation extends into the curtilage of Station Cottage - see black line in attachment [*].</p>		
Modifications sought by those submitting representations:		
<p>AR02: East of Station Road <u>Brian Songhurst (1323129)</u> Add Developer Requirement to ensure access is not taken from the existing shared access to the north (assumed). Remove a small section of allocation AR02 (as shown in the attachment [*]).</p>		
Summary of responses (including reasons) by planning authority:		
<p>AR02: East of Station Road <u>Brian Songhurst (1323129)</u> Access to the site is most likely to be taken directly from Station Road. This has been demonstrated as feasible by the previous planning application on the site for 16 homes (reference 18/02994/FUL) in which the Council's Transport Planning colleagues raised no objection. Given the current access to the site is via the junction to the respondent's property, an alternative could be considered. However, it is not expected to be feasible due to currently poor visibility splays and impact on mature trees. It would be for the developer of the site to demonstrate that access arrangements and new/improved junction upgrades meet the Council's road development guidelines. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.</p>		

In terms of the allocation boundary, it is recognised that the northern boundary extends slightly beyond the development site. If the Reporter is so minded, then the Council would support the allocation being reduced to exclude Station Cottage. The strip of land at the roadside does not require an amendment to the Plan and will be a matter for any developer and the landowner to resolve.

Reporter's conclusions:

Reporter's recommendations:

Issue 23	Beauly	
Development plan reference:	Section 4 Places, Beauly Settlement, PDF Pages 108-114	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Aird Community Trust (1311972) SEPA (906306) Steve North (1263190) Susi Moore (1323273)</p>		
Provision of the development plan to which the issue relates:	Placemaking Priorities 5, Settlement Map 9 Beauly, Development Sites, PDF paragraphs 117-121	
Planning authority's summary of the representation(s):		
<p>Placemaking Priorities <u>Aird Community Trust (1311972)</u> Supports but active travel reference should be to Inverness via Kirkhill.</p> <p>Settlement Map <u>Steve North (1263190)</u> Supports revised scale and mix of allocations and the identified factors to be addressed as offering a balanced approach to expanding the village whilst retaining or strengthening its character.</p> <p>BE01: Beauly North <u>SEPA (906306)</u> Objects to use of the word ditch or ditches rather than watercourse because the word "ditch" is often used to refer to a man-made drainage feature of little environmental consequence but these watercourses can often be modified natural water features.</p> <p>BE02: East Wellhouse <u>SEPA (906306)</u> Objects to use of the word ditch or ditches rather than watercourse because the word "ditch" is often used to refer to a man-made drainage feature of little environmental consequence but these watercourses can often be modified natural water features.</p> <p>BE03: North East of Fire Station <u>SEPA (906306)</u> Objects to use of the word ditch or ditches rather than watercourse because the word "ditch" is often used to refer to a man-made drainage feature of little environmental consequence but these watercourses can often be modified natural water features.</p> <p>BE04: West of Cnoc na Rath <u>SEPA (906306)</u></p>		

Objects to use of the word ditch or ditches rather than watercourse because the word “ditch” is often used to refer to a man-made drainage feature of little environmental consequence but these watercourses can often be modified natural water features.

BE05: Fraser Street Allotments

SEPA (906306)

Objects to use of the word ditch or ditches rather than watercourse because the word “ditch” is often used to refer to a man-made drainage feature of little environmental consequence but these watercourses can often be modified natural water features.

Summary of comment.

Susi Moore (1323273)

Objects because of: loss of central greenspace; loss of and therefore fragmentation of existing green network reducing its value significantly; relocating allotments to another area of village will lose their established biodiversity benefits (old trees are better for carbon capture than new planting which needs to be a consideration in relation to climate change); the Plan should be looking to retain and expand green networks not fragment them; already failing road, surface water and sewer drainage on Croyard Road near the former Legion (Dance studio) and the Church of Scotland; existing congestion/road safety issues; inadequate existing road access to site; a care home and/or sheltered housing would be a commercial not a truly non-profit-making community use; and, the site size is only one hectare so little space will be left for retained allotments.

Modifications sought by those submitting representations:

Placemaking Priorities

Aird Community Trust (1311972)

Amendment to active travel reference so that it states to Inverness via Kirkhill.

Settlement Map

Steve North (1263190)

None assumed.

BE01: Beaully North

SEPA (906306)

Replacement of the word “ditch(es)” with “watercourse(s)”.

BE02: East Wellhouse

SEPA (906306)

Replacement of the word “ditch(es)” with “watercourse(s)”.

BE03: North East of Fire Station

SEPA (906306)

Replacement of the word “ditch(es)” with “watercourse(s)”.

BE04: West of Cnoc na Rath

SEPA (906306)

Replacement of the word “ditch(es)” with “watercourse(s)”.

BE05: Fraser Street Allotments

SEPA (906306)

Replacement of the word “ditch(es)” with “watercourse(s)”.

Susi Moore (1323273)

Deletion of allocation and replacement with protected greenspace notation.

Summary of responses (including reasons) by planning authority:

Placemaking Priorities

Aird Community Trust (1311972)

Map 4 of the Plan highlights longer distance, inter-settlement, potential active travel routes that would deliver strategic benefits in terms of commuting to work and high school as well as being recreational/visitor routes. A route between Beauly and Inverness is depicted. Accordingly, it would be consistent, if the Reporter is minded to recommend such a change, to amend the sixth Beauly Placemaking Priority as requested by the respondent; i.e., the last part of the bullet point should read "... to Muir or Ord and to Inverness via Kirkhill."

Settlement Map

Steve North (1263190)

Support noted.

BE01: Beauly North, BE02: East Wellhouse, BE03: North East of Fire Station, BE04: West of Cnoc na Rath, BE05: Fraser Street Allotments

SEPA (906306)

The Council's reference to ditch and ditches rather than watercourse(s) was intended to use shorter, plainer language for currently canalised field boundaries. However, using the term watercourse throughout the Plan would be more consistent. If the Reporter is minded to agree with SEPA's representation then the Council would support such a change.

BE05: Fraser Street Allotments

Susi Moore (1323273)

Although this site has a long-standing allotments use, many of the allotments are underutilised or even poorly used and maintained. The landowner, Lovat Highland Estates, wishes to make better use of the land. The Council agrees that such a central and well connected in active travel terms, site should be used to its full potential. Vehicular access to the site is poor so it should only support a low traffic generation use. Accordingly, the aIMFLDP and the emerging Plan allocates the land for part allotments and part ageing population accommodation uses. Lovat Estates own allocated land on which compensatory allotments provision can be established and this is a specific developer requirement. The existing allotments area is not an attractive, well used, publicly accessible, recreational open space. Allotments have restricted green network value because of their multiple physical barriers to ground-based movement. Allotments can have biodiversity value dependent upon the number of trees and flower species present and whether organic cultivation methods are used. This biodiversity value can be maintained and enhanced on the retained allotments and increased on the new, relocated allotments. Development, if accessed from Croyard Road, will provide an opportunity for developer funded assessment and if necessary then resolution of localised drainage issues. In time, on completion of the village loop distributor road, Croyard Road will be relieved of much of its through traffic and therefore the capacity of the route and its junctions enhanced. Policy 13 Accessible and Adaptable Homes and its supporting text explains the pressing need for ageing population accommodation within the Plan area. This site is particularly suitable for elderly or infirm residents because of its centrality to the settlement's facilities. Two storey accommodation would be suitable in this central part of

the settlement and therefore the building footprint can be minimised. Most care homes rely on NHS funded placements so rely upon a mixture of public and private finance. Accordingly, the Council believes the Plan should remain unaltered in respect of this representation.

Reporter's conclusions:

Reporter's recommendations:

Issue 26	Croy	
Development plan reference:	Plan sections, PDF Pages 127 - 131	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Julian Walford (1310280) Jan Seaman (1312288) Linda Stuart (1323538) Mr and Mrs Marcus (1271842) Lynda Keenan (1312298) Croy and Culloden Moor Community Council (1269701)</p>		
Provision of the development plan to which the issue relates:	Croy, PDF Pages 127 - 131	
Planning authority's summary of the representation(s):		
<p>Placemaking Priorities <u>Linda Stuart (1323538)</u> Respondent objects to any more development in and around Croy until the road from the A96 up to Croy is upgraded. Whilst the road between the A96 to the new Tornagrain is due to be upgraded, the section between Tornagrain and Croy is not. It is currently single track, very busy and a safety risk to all users.</p> <p>CR01: West of Primary School <u>Julian Walford (1310280)</u> Supports the allocation but considers the presentation unhelpful as it does not explain which parts of the site will and will not be developed. The burn and slope are features which need to be protected from development.</p> <p>CR02: North West of Primary School <u>Croy and Culloden Moor Community Council (1269701)</u> Objects to CR02 and disappointed objections made at Main Issues Report (MIR) stage were not acted upon. The Community Council questions the total housing potential across the two sites CR01 and CR02, querying whether it could be as many as 240 units. The Community Council objects to the development because: 1) the argument made by the developer for its retention that upfront infrastructure was provided as part of phase 1 is disputed as it would not make financial sense to invest in the site unless their application was a foregone conclusion; 2) there is already a huge negative impact on the community from the development of CR01, particularly on the school which is proposed to lose its publicly accessible play/sports pitch in place of demountable units with no replacement alternative provision; 3) the road network in the area is already in a poor state and over capacity; 4) huge effect on the residents in Dalcroy Road; 5) transport links are exceptionally poor and there are no facilities within the village; 6) many of the issues have resulted from poor planning decisions in the past – increasing development with no</p>		

additional infrastructure; 7) the community have consistently been ignored in their objections to further development.

Jan Seaman (1312288)

Objects to any more development in Croy until suitable infrastructure is in place, including transport, schools and health care provision. There is no need for housing development in Croy due to the new town at Tornagrain and business/commercial development is being delivered at the airport business park.

Lynda Keenan (1312298)

Objects to CR02 for the following reasons: 1) at MIR stage it was non preferred and it stated the housing needs of the community were already being met and that “strategic levels of housing development will not be supported in the places which have limited facilities” but the Proposed Plan has reversed this decision without a clear rationale; 2) Being a small village, Croy lacks the services and facilities appropriate for an expanding population; 3) the small primary school has been put under increasing pressure from current developments; 4) locally, there are other larger developments, such as Tornagrain, which are better placed to cater for ongoing housing needs; 5) the plan should address the trend towards short term holiday lets and its impact on the availability of housing; 6) concerns that large scale housing is changing the character of the village - the edge of village location will have visual and landscape impacts; 7) the site is actively used farmland and supports biodiversity and provides amenity and recreational land for residents; 8) the road network is already over capacity and unsafe; 9) unclear how access would be taken for the site – through existing residential areas would not be acceptable.

Mr and Mrs Harcus per Justin Lamb Associates (1271842)

Landowner supports CR02 because it: 1) allows the efficient use of existing / planned infrastructure which has been upsized and designed with full regard to the next phase: 2) brings into effect the investment in infrastructure already made; 3) helps to support local amenities and potentially provide additional facilities; 4) assists in meeting wider objectives relating to repopulation of rural locations but without increasing reliance on car use.

Modifications sought by those submitting representations:

Placemaking Priorities

Linda Stuart (1323538)

Removal of allocations or restrict development until the road network has been upgraded (assumed)

CR01: West of Primary School

Julian Walford (1310280)

Change the presentation of the allocation to show which parts are and are not proposed for development (assumed).

CR02: North West of Primary School

Croy and Culloden Moor Community Council (1269701), Jan Seaman (1312288), Lynda Keenan (1312298)

Removal of allocation CR02

Mr and Mrs Harcus (1271842)

No modification sought.

Summary of responses (including reasons) by planning authority:

Placemaking Priorities

Linda Stuart (1323538)

The Placemaking Priorities for Croy explicitly recognise the need for further upgrades to the transport network with the first priority to “Improve the transport network, particularly around the junction of the B9091 and the B9006 and along Croy Road to Tornagrain” and the third to “Improve active travel connections to key destinations, particularly the delivery of the A96 Landward Trail and North South Links routes.” The Developer Requirements for CR02: North West of Primary School also require a “Transport Assessment including details of suitable access arrangements, consideration of upgrades to wider road network and enhanced active travel connections to key destinations”. The priorities and requirements will ensure that the transport impacts will be suitably assessed, and necessary mitigation measures delivered at the correct time to offset the impacts of development. It is noted that the twin tracking of the section between Torangrain and the A96 is now well underway. Accordingly, the Council believes the Plan’s content should remain unaltered in respect of this issue.

CR01: West of Primary School

Julian Walford (1310280)

Support for the allocation is noted.

The allocations as shown on the settlement maps depict the full extent of the potential development site. Alongside the built development, they will also include areas which will be protected or enhanced as open space, safeguarded for drainage or at risk of flooding. All planning applications, including plans and supporting information, are available to view on the Council’s [ePlanning portal](#).

CR02: North West of Primary School

Croy and Culloden Moor Community Council (1269701)

Addressing the comments in the same sequence as above:

- 1) The indicative housing capacity across both CR01 and CR02 in the Plan is 100 units. Permission was granted for the site shown as CR01 in the MIR (reference 17/02509/FUL) and approximately 50 units have been completed so far. When both sites are fully built out it is expected that a total of 150 units will be delivered across both CR01 and CR02. This remains the same total which was identified in the Highland-wide Local Development Plan (2012) and the Inner Moray Firth Local Development Plan (2015).
- 2) The application in 2017 (17/02509/FUL) was for 100 housing units and covered approximately half of the allocation in the adopted IMFLDP which has an indicative housing capacity of 150 units. Whilst the application only covered part of the allocation, the supporting information noted that it formed Phase 1 of 2, with the second phase being the development of the remainder of the site. It was reflected to some extent within masterplanning work and certain infrastructure was provided upfront to accommodate the development of the remaining part of the allocation. This included additional drainage capacity resulting from extensive technical analysis. The junction designs were also informed by the transport assessment which assessed the impact of an overall development of 150 units.
- 3) As part of the approved new town at Tornagrain (09/00038/OUTIN) there was a

requirement for contributions towards enhanced education provision at Croy Primary School in the short term and the construction of a new school at Tornagrain in the medium term. As set out in the 'Medium Term Financial Plan - Capital Strategy and Capital Programme to 2036/37' report which was approved by The Highland Council in December 2021 [*], there is a commitment to deliver the new school by 2031/32.

- 4) In relation to concerns about the lack of transport infrastructure, see the response above.
- 5) It is assumed that the comment refers to the impacts on the amenity of residents at Dalcroy Road. The adjoining development site is currently being built out and the approved site layout (17/02509/FUL) shows an approximately 20m green buffer between the existing and the new properties ensuring that amenity issues are minimised.
- 6) As set out in the Settlement Hierarchy (Table 3 of the Proposed Plan), the Plan recognises the lack of facilities in Croy and identifies it as being a 'partially sustainable' settlement. The allocation is reflective of the adopted plan position and the 2006 A96 Growth Corridor Development Framework [*] which planned for much higher levels of growth between Inverness and Nairn. Although the Plan now takes a notably different approach, it respects the certain investment decisions which have been made on the back of this adopted position. It should also be noted that the Developer Requirements for CR02 requires the developer to explore potential for creating new community or small scale commercial space as a means of improving the facilities within the village.
- 7) A wide range of infrastructure has already been provided to support the growth Croy and the new town at Torangrain. As set out above, and in line with the approved permissions, there will be further significant upgrades over the coming years, particularly a new primary school and upgraded transport network.

Jan Seaman (1312288)

In relation to concerns about the lack of infrastructure, see the responses above and Issue 13: Delivering Development and Infrastructure. In relation to comments about the lack of housing need, see the response in Issue 3: Housing Requirements.

Lynda Keenan (1312298)

Addressing the comments in the same sequence as above:

- 1) As was set out in the report to the City of Inverness Area Committee in November 2021 [*], the allocation CR02 was taken forward due in part to it being previously allocated and subsequently a higher level of infrastructure was provided within phase 1 to accommodate further development. See the response above for further information.
- 2) In relation to concerns about the lack of facilities, see the response above.
- 3) In relation to concerns about the lack of capacity within the school, see the response above.
- 4) Tornagrain is identified within the top tier of the settlement hierarchy (Table 3 of the Proposed Plan) and will be a focus of meeting housing need and demand within the region for the coming decades. The reasons for supporting the additional 100 housing units in Croy is set out in the responses above.
- 5) In relation to comments about short term holiday lets, see the response in Issue 3: Housing Requirements.
- 6) Noting that CR01 has permission and is currently being built out, the visual and landscape impacts of CR02 will be insignificant due to the position of the site within low lying, slightly undulating topography and mature woodland setting.

- 7) The land is categorised as being 4.1 and 4.2 within the Land Capability for Agriculture classification. Whilst this is reasonable quality agricultural land it is not identified as 'prime' agricultural land. As actively used agricultural land, the land provides limited biodiversity value. The development of the site, including the enhancement of drainage and other natural features, will have a net improvement in terms of biodiversity.
- 8) In relation to concerns about the lack of transport infrastructure, see the response above.
- 9) Access to the site is expected to be taken from those created as part of the phase 1 development (17/02509/FUL), including the junctions onto the B9006 and at Ardgowan.

Mr and Mrs Harcus (1271842)

Support for the allocation is noted.

Reporter's conclusions:

Reporter's recommendations:

Issue 29	Dores	
Development plan reference:	Plan sections, PDF Pages 146 - 148	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
Dores & Essich Community Council (1248765) Garry Foster & Cameron Discretionary Trust (1269925) NatureScot (1266529)		
Provision of the development plan to which the issue relates:	Dores, PDF Pages 146 - 148	
Planning authority's summary of the representation(s):		
<p>Settlement Map <u>Dores & Essich Community Council (1248765)</u> Objects to the non-allocation of the site identified as DO04: North of Playing Field (Community uses) in the Main Issues Report and DO4: North of Playing Field in the adopted IMFLDP. It is acknowledged that there are no proposals but the site was previously allocated and the reasons given by the Council are not accepted by the community council. It should be allocated as a contingency for future community use. Also objects to the non-allocation of a site submitted by the Community Council during the consultation on the Main Issues Report (attachment is within the MIR submission [*]), which is located to the west of the B862 and south of the sawmill site, as future provision for employment uses. There are no other suitable sites identified for employment uses.</p> <p>Placemaking Priorities <u>Dores & Essich Community Council (1248765)</u> Supports the Placemaking Priorities as they are key to maintaining the enjoyment of the village whilst still enabling future development. The Community Council wish to see increased parking facilities as part of an overall review of highways and transportation provision, to include delivery of the (already designed) traffic calming and highway improvements scheme, improved public transport and facilities to support active travel.</p> <p>DO01: Land South of Dores Hall <u>Garry Foster & Cameron Discretionary Trust (1269925) and Dores & Essich Community Council (1248765)</u> Landowner and Community Council object to the non-allocation of the land to the east of DO01: Land South of Dores Hall up to the B862, which was in part referenced DO05: South of Dores in the Main Issues Report. They seek that the site forms part of a single allocation (combined with the proposed DO01 allocation) with an indicative capacity of 24 units and the formation of a community woodland between the two development sites. The reasons given include: 1) it forms a part of the effective housing land supply – supported by the landowner, community council and developer (Community Housing Trust) and offers potential to meet a range of local housing requirements including</p>		

affordable homes and self build (which in itself will reduce the pressure of single house development in the Hinterland countryside; 2) The Housing Land Supply assumptions which have guided allocations within the Proposed Plan are unlikely to be sufficient to deal with the needs and demand presented in Dores and the wider Inner Moray Firth area over the coming plan period; 3) it would deliver improved connectivity with the village centre and village hall; 4) it would enable the creation a community woodland park with replanting able to work around the housing development; 5) Development of the lower part of the site depends on the inclusion of the upper area for self or custom build private housing; 6) the additional area will make up for the loss of the southern end of DO01 (as per the adopted IMFLDP) for future water infrastructure; 7) the site is no steeper than the lower area of land which is proposed for development or the allocation in the centre of the village DO02. In support of the representation the landowner included an attachment with site photos, indicative site layout and proposed access arrangements. The landowner also highlights that the allocation includes shore land on the western side of the B852 and questions whether the Council actually supports development potential there.

NatureScot (1266529)

States that the site sits within Ancient Woodland Inventory and Scottish Semi-Natural Woodland Inventory and is protected through Scottish Planning Policy and any development of this site may be contrary to that policy. The Scottish Government's Control of Woodland policy would also apply. If this site is taken forward, NatureScot recommend including as Developer Requirements: 1) protected species surveys (e.g. bats, badger, red squirrel and bird species); 2) a Development Brief to ensure any new development is kept adjacent to the existing settlement, and to avoid ribbon development along the shoreline; 3) the development should be small in scale and avoid any significant intrusion on the loch side; 4) existing tree and woodland should be used to provide a landscape setting; 5) and the need for nature-based solutions (NBS) to enhance green networks.

DO02: Land South of Church

Dores & Essich Community Council (1248765)

Supports the allocation because it is deliverable in the short term, likely to meet local housing need and will accommodate an extension of the Dores Cemetery.

Modifications sought by those submitting representations:

Settlement Map

Dores & Essich Community Council (1248765)

Add the site referenced DO04: North of Playing Field (Community uses) in the Main Issues Report and DO4: North of Playing Field (Community uses) in the adopted IMFLDP. Add the site put forward at Main Issues Report stage which lies to the west of the B862 and south of the sawmill site, for employment uses.

Placemaking Priorities

Dores & Essich Community Council (1248765)

Add as a Placemaking Priority the need to deliver traffic calming (already designed) and highway improvements scheme, improved public transport and facilities to support active travel (assumed).

DO01: Land South of Dores Hall

Dores & Essich Community Council (1248765), Garry Foster & Cameron Discretionary Trust (1269925)

Extend allocation DO01: Land South of Dores Hall to include the land to the east and up to

the B862, with an indicative housing capacity of 24 units for the whole site and the formation of a community woodland between the two development sites.

NatureScot (1266529)

Add additional Developer Requirements including: 1) protected species surveys; 2) a Development Brief to ensure any new development is kept adjacent to the existing settlement, and to avoid ribbon development along the shoreline; 3) the development should be small in scale and avoid any significant intrusion on the loch side; 4) existing tree and woodland should be used to provide a landscape setting; 5) and the need for nature-based solutions (NBS) to enhance green networks.

DO02: Land South of Church

Dores & Essich Community Council (1248765)

No modification sought.

Summary of responses (including reasons) by planning authority:

Settlement Map

Dores & Essich Community Council (1248765)

Although the land currently allocated for Community ('sports pitch' only) uses (reference DO4: North of Playing Field) is relatively flat and central to the village, there are no specific proposals for the site despite it being allocated for over 7 years. Should proposals emerge in the future, there will be opportunity to reconsider the allocation of the site at future plan reviews. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue. In terms of the employment site, it is recognised that there is benefit in strengthening the employment base in Dores and the positive contribution it could make to the wider area. However, the land suggested is suitable for allocation in the Plan as it is detached from the village, the land is sloping both northwards down to Dores and eastwards down to Loch Ness, it is wooded and there are no active travel connections. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Placemaking Priorities

Dores & Essich Community Council (1248765)

The Community Council support for the Placemaking Priorities is noted. It is assumed the Community Council wish to see the additional issues which they raise regarding the transport network highlighted in the Plan. It is acknowledged that there are certain traffic problems experienced in Dores, such as parking pressures during the summer season and vehicles speeding through the village. Therefore, if the Reporter is so minded, an additional Placemaking Priority could be added which addresses the points raised by the Community Council, i.e. the need to deliver traffic calming (which is already designed) and highway improvements scheme, improved public transport and facilities to support active travel.

DO01: Land South of Dores Hall

Dores & Essich Community Council (1248765), Garry Foster & Cameron Discretionary Trust (1269925)

Comments made regarding the insufficient housing land supply within the Plan are addressed in Issue 3: Housing Requirements. Dores is identified as being within the least sustainable of the Main Settlements in the Plan due to the lack of facilities and the very limited sustainable transport options available. In locations such as Dores, the Plan is therefore supporting limited levels of growth.

The Plan allocates the land (referenced DO01 in the Proposed Plan) for 10 houses as the Council recognise the work done to date to bring forward the development and the opportunity to deliver benefit to the community through an improvement to the vehicular access to the village hall. However, it should be noted that the Council's Forestry Officer and NatureScot raise concerns with development of the site as it is identified as Ancient Woodland Inventory and Scottish Semi-Natural Woodland Inventory. Although it was a coniferous plantation woodland before being recently clear felled, the view of experts is that the original woodland can rejuvenate over time. It is also noted that the site's delivery is largely dependent on Scottish Water's investment project which has reportedly been shelved for the time being. Nevertheless, the Council is content to support the development of the lower section.

The proposed extension of the site, with development on the upper side running alongside the B862, however, will have a much greater impact on the on the landscape and setting of Dores. The existing settlement pattern on the southern edge is low lying and relatively linear and the expansion along the lower section of the site will allow for this to continue and is acceptable. However, the upper section will have a far more noticeable impact when viewing the site from the west, e.g. from Dores beach which is one of the most popular visitor destinations around Loch Ness.

The proposed active travel connection for development on the upper slope is also not a suitable solution. The path would not provide all weather, year round access and therefore not be delivered to an adoptable standard. Given the B862 has no pavement or active travel provision, the properties on the upper slopes would therefore likely be almost entirely dependent on private vehicle, even to access the limited facilities in Dores.

The land on the loch side of the B852 was included to allow for a degree of flexibility in the delivery of the transport and active travel related Developer Requirements. The land is identified as being part of the Green Network would not considered suitable for built development were a proposal to come forward.

Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

NatureScot (1266529)

The additional Developer Requirement for a protected species surveys is reasonable given the natural features of the site and the potential for certain protected species. If the Reporter was so minded, then the Council would support this be added to the Plan.

The request for a Development Brief to ensure any new development is kept adjacent to the existing settlement, and to avoid ribbon development along the shoreline is not considered necessary. The allocation is long and narrow and stretches southwards from the village. A more linear form of development is inevitable to some degree given the topography and in this location is considered acceptable.

The request for a requirement that states the development should be small in scale and avoid any significant intrusion on the loch side is also not necessary given the existing Developer Requirement for "high quality siting and design and landscaping strategy which ensures development provides positive contribution to the streetscape and settlement settings."

The request for a requirement which states that the existing tree and woodland should be used to provide a landscape setting is unnecessary as there is already a Developer Requirements which protects the woodland.

In terms if the request for a requirement for the need for nature-based solutions (NBS) to enhance green networks, given the scale of development proposed through the Plan it is not considered necessary to include such a requirement. If, however, the Reporter was to include the land to the east which is promoted by the landowner and Community Council, then the requirement would be a reasonable addition.

DO02: Land South of Church

Dores & Essich Community Council (1248765)

Support noted.

Reporter's conclusions:

Reporter's recommendations:

Issue 30	Drumnadrochit	
Development plan reference:	Section 4 Places, Drumnadrochit Settlement, PDF Pages 132-136	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Dwynwen Hopcroft (1311017) Glen Urquhart Community Council (1323049) Glenurquhart Rural Community Association (GURCA) (1220765) Glenurquhart Shinty Club per James Barr (1312280) Hector Mackenzie (1312335) Highland Housing Alliance per Turley (1323057) James Barr (1311675) John Fraser per GHJ (979522) Kerry Pocock (1324328) Laura Stoddart (1311249) Penny Beech (1312358) SEPA (906306) Woodland Trust (1312249)</p>		
Provision of the development plan to which the issue relates:	Placemaking Priorities 12, Settlement Map 16 Drumnadrochit Development Sites, PDF paragraphs 147-149	
Planning authority's summary of the representation(s):		
<p>Placemaking Priorities <u>Glen Urquhart Community Council (1323049)</u> Supports principle that Drumnadrochit is not a sustainable location for significant future growth without investment in local infrastructure. Seeks stronger requirement for any development to provide local facilities and employment and remove focus as a commuter location. Seeks additional principle that all developments to be considered in conjunction with Community Action and Place Plan. Supports non inclusion of sites which were non-preferred at Main Issues report stage.</p> <p><u>Glenurquhart Rural Community Association (GURCA) (1220765)</u> Supports but seeks priority for improving public transport because this will encourage modal shift. Supports Hinterland around Drumnadrochit especially at Bunloit and Grottaig because several local businesses rely on the ongoing popularity of the Great Glen Way which uses the Bunloit road and the amenity value of the trail is already adversely impacted by increased traffic on this road which resulted from additional housing development.</p> <p>Settlement Map <u>Glen Urquhart Community Council (GUCC) (1323049)</u> Reports GUCC are currently developing a Community Action Plan and seeks a policy to reference it and its importance in making planning decisions.</p>		

Glenurquhart Rural Community Association (GURCA) (1220765)

Objects to omission of several greenspaces from the settlement map especially at Lewiston because this implies the land could be considered suitable for development. The Lewiston greenspace should be protected because: it is vital to the character of Lewiston and Drumnadrochit and should prevent the coalescence of two separate villages; potential loss of biodiversity, good farmland and sheep grazing; potential loss of parking for the Highland Games; it helps the community connect with nature and where their food comes from; potential loss of natural carbon sink; local people walk around the fields; the land could have greater recreational access and use and could be partly used for community food growing; and, the land could be laid out and better managed for biodiversity and to mitigate climate change. Land should be protected greenspace or at worst a community uses allocation. Also queries why riparian woodland is not notated as a protected greenspace. Queries Plan's active travel networks as existing or unsafe and suggests there are better (undefined) alternatives.

John Fraser per GHJ (979522)

Objects to non-inclusion for development of land South of the Medical Centre identified as DR07 in the Main Issues Report (MIR) for community, business and specialist housing uses within a landscape framework because: respondent's MIR submissions were given inadequate consideration; respondent undertook pre-application consultation with the community in September 2021 [*] and reflected feedback in a more detailed development framework [*]; the development can be phased supporting a more sustainable and community-led level of growth; the Plan doesn't allocate sufficient effective housing land to meet its stated housing requirements and these requirements are too low; Drumnadrochit is a relatively sustainable location as indicated by its Tier 2 status in the Plan's settlement hierarchy; the most northerly part of the respondent's land, immediately south west of the A82 Trunk road, is allocated in the 2015 aMFLDP (reference DR7); the land is part serviced including a high capacity trunk road roundabout junction, is central to the community and its facilities and already has a health centre and pharmacy located on it, and there is planning permission for two business units on the south west side of the existing car park; the land is not identified as protected greenspace; the proposal is not speculative because there is community support for elements of it (as evidenced in the Community Action Plan survey conducted on behalf of the Glen Urquhart Rural Community Association); uniquely within Drumnadrochit because of its size it could deliver self and custom build housing in line with the Plan's General Policy 11; it could deliver other specialist housing accommodation; it can offer more diversity than the other 2 volume housebuilder controlled sites; the land is free from flooding and close to both Glen Urquhart Primary and High Schools and could provide unrestricted 'safe routes' to these schools; the land lies within the Settlement Development Area and is not safeguarded from development; landowner amenable to community uses raised during local consultation events and more tree planting; and, landowner could reserve a substantial buffer creating a green corridor between the site and existing houses which could link to other green networks through the village. Asserts that at the very least, that the current aMFLDP DR7 site be reallocated for new community and commercial facilities.

Penny Beech (1312358)

Supports keeping development within village boundaries. Opposes development pressure overspilling into surrounding countryside especially at Bunloit because recent building at Bunloit has: created excessive traffic on a single track road network; eroded the beautiful countryside to the detriment of tourism; discouraged sustainable travel mode tourism (Great Glen Way trails); and, new development is using fossil fuel heating to the detriment

of the climate.

DR01: Former A82 Retail Units

Glen Urquhart Community Council (1323049)

Opposes housing use on site because: contrary to aIMFLDP use mix for site; of rejection of recent housing application by councillors and Reporter at appeal; community consensus against recent application; location high profile and therefore more suitable for community/employment use; adverse impact on shinty club (including impact on public liability for club from potential stray shinty balls); and, restriction on expansion of community facilities at centre of village.

Glenurquhart Rural Community Association (GURCA) (1220765)

Opposes housing use on site because: contrary to aIMFLDP use mix for site; of rejection of recent housing application by councillors and Reporter at appeal; community consensus against recent application; adverse impact on shinty club (including impact on public liability for club from potential stray shinty balls); burden in the title which prevents retail use does not mean housing has to be the use; and, Blairbeg Park is owned by GURCA and is used as the main location for Shinty in Glen Urquhart and the community would like to see this site developed by the community to enhance shinty and sporting/fitness facilities including improvements to the currently inadequate in the vicinity (the current clubhouse and changing facilities are unsuitable for the volume of shinty fixtures and in terms of energy efficiency).

Glenurquhart Shinty Club per James Barr (1312280)

Objects to housing use because of: failure to adequately consult with local people, community organisations and immediate neighbours; adverse impact on shinty and therefore on cultural heritage because any private housing in this area will physically constrain, compromise and economically threaten the continued use of Blairbeg park for shinty; mitigation is impracticable (a 40 m by 14m high ball fence along the boundary which is expensive to erect (£50k), expensive to maintain /replace and will be downright ugly within the setting of Blairbeg Park); and, a central village site adjacent to a sports field, play park, public hall and schools, which has been zoned for communal use for 70 years and used for communal use for 70 years should be kept for such. Supplies amplified arguments [*].

Hector Mackenzie (1312335)

Objects to housing use because of: failure to adequately consult with local people, community organisations and immediate neighbours; adverse impact on shinty because any private housing in this area will physically constrain, compromise and economically threaten the continued use of Blairbeg park for shinty; fencing mitigation is impracticable (as evidenced at Beauly and Ballachulish pitches) and expensive and there will be more conflict with future householders than the previous retailer; and, a central village site adjacent to a sports field, play park, public hall and schools should be reserved for community use to service new housing which can be adequately accommodated on other allocated sites.

Highland Housing Alliance per Turley (1323057)

Seeks increased capacity of 15 housing units because: further consultation and sensitive design could evolve an acceptable scheme; it will deliver much needed affordable housing; it will contribute to a currently inadequate affordable housing land supply; the previous application was recommended for approval by the case officer; the previous building was of a particularly poor architectural design; the site is previously developed

and in a very central location; and, the reasons for refusal at committee and appeal didn't question the use of the site only its design and layout; the site is effective and deliverable.

James Barr (1311675)

Complains that the summary in Plan paragraph 164 that "DR01 is part permitted and part constructed. " is entirely misleading and prejudicial because there is neither planning permission for housing nor a residential allocation for the site. Objects to any housing use on site because: of the lack of any effective consultation on this proposal, particularly with near neighbours; of the failure to protect existing communal space from private development at a time when significant private residential building is ongoing and planned in other greenfield sites in the village of Drumnadrochit; the creation of a small private residential island within a sea of community activity will be to the detriment of the both the community users and the future private owners. Supplies amplified arguments [*].

Laura Stoddart (1311249)

Existing allocations/permissions total circa 150 additional and much needed homes in the village in a 10 year period so there is no need for additional housing sites and all the extra people need land for community facilities. With both schools, the nursery, play park and the Blairbeg park/shinty field within the immediate vicinity/on the same side of the A82, the former shop site lends itself to being an ideal position for community use.

DR02: Land Adjoining Supermarket

Glenurquhart Rural Community Association (GURCA) (1220765)

Seeks that the path between the Glenurquhart Centre and the new shop is put in place in Phase 1 of this development, even if not in its final location.

SEPA (906306)

Recommends that requirements for alternative proposals are outlined, as is the case for most other allocations which already have an extant consent.

DR03: Drum Farm

Dwynwen Hopcroft (1311017)

Objects because: contradiction between Plan saying that the village is not a sustainable location for major growth and the size of the allocation; legacy allocations/permissions should not be honoured without an explanation; local opposition to previous planning application and to Reporter's decision; loss of village character; and, development should be revisited to ensure its carbon neutral and energy efficient.

Glenurquhart Rural Community Association (GURCA) (1220765)

Requests additional developer requirements that: a community liaison group is set up at an early stage to involve the community in the construction phase, phasing etc; and, an archaeological survey is carried out to capture and record archaeological findings to add to the historic knowledge of the area.

Kerry Pocock (1324328)

Comments that permission already granted so unsure what concerns can be raised.

DR04: Land West of Post Office

Glenurquhart Rural Community Association (GURCA) (1220765)

Supports but queries reference to new or improved trunk road junction when there is currently no road junction into this site. Concerned that any new road junction at the field gate access point would be too close to the existing A82 road bridge, which is narrow with

narrow pavements.

Woodland Trust (1312249)

Seeks developer requirement to safeguard adjacent Ancient Semi Natural Woodland on south west boundary including upland oakwood at NH506299 of approximately 0.75ha.

DR05: Shinty Pitch and Adjoining Land

Glenurquhart Rural Community Association (GURCA) (1220765)

Supports (no reasons stated).

Glenurquhart Shinty Club per James Barr (1312280)

Supports if only for recreational/community use because the village's major expansion will require more recreational/community facilities. Objects to private development adjacent that could prejudice these uses/facilities.

Laura Stoddart (1311249)

Supports allocation for community/recreational uses only because Blairbeg Park is: in the heart of the village; home of Glen Urquhart Shinty Club and the local Highland Games which are local cultural institutions; and, is used daily for recreation.

DR06: Schools' Junction

Glenurquhart Rural Community Association (GURCA) (1220765)

Supports (no reasons stated).

SEPA (906306)

Recommends deletion of "(no development in areas shown to be at risk of flooding)" because SEPA are unaware of any fluvial flood risk at this site.

Modifications sought by those submitting representations:

Placemaking Priorities

Glen Urquhart Community Council (1323049)

Addition of a Priority for any development to provide local facilities and employment and remove settlement's focus as a commuter location and also a Priority that all developments be considered in conjunction with Community Action and Place Plan (both assumed).

Glenurquhart Rural Community Association (GURCA) (1220765)

Addition of a Priority to improve public transport and to restrict development around Drumnadrochit especially at Bunloit and Grottaig (both assumed).

Settlement Map

Glen Urquhart Community Council (GUCC) (1323049)

Addition of a policy to reference Community Action Plan and its importance in making planning decisions.

Glenurquhart Rural Community Association (GURCA) (1220765)

Addition of greenspaces from aIMFLDP particularly between Lewiston and Drumnadrochit and riparian woodland areas (assumed).

John Fraser per GHJ (979522)

Addition of mixed use allocation on land South of the Medical Centre identified as DR07 in

the Main Issues Report (MIR) for community, business and specialist housing uses. As a fall-back, that the current aIMFLDP DR7 site be reallocated for new community and commercial facilities.

Penny Beech (1312358)

Clarification that a restrictive approach will be taken to further development at Bunloit (assumed).

DR01: Former A82 Retail Units

Glen Urquhart Community Council (1323049)

Reallocate for mixed use as per aIMFLDP.

Glenurquhart Rural Community Association (GURCA) (1220765)

Reallocate for mixed use as per aIMFLDP (assumed).

Glenurquhart Shinty Club per James Barr (1312280)

Reallocate for mixed use as per aIMFLDP (assumed).

Hector Mackenzie (1312335)

Allocate only for community use (assumed).

Highland Housing Alliance per Turley (1323057)

Site capacity increased to 15 residential units (assumed).

James Barr (1311675)

Allocate only for community use (assumed).

Laura Stoddart (1311249)

Allocate only for community use (assumed).

DR02: Land Adjoining Supermarket

Glenurquhart Rural Community Association (GURCA) (1220765)

Additional developer requirement that the path between the Glenurquhart Centre and the new shop is put in place in Phase 1 of this development, even if not in its final location.

SEPA (906306)

Addition of developer requirements for alternative proposals.

DR03: Drum Farm

Dwynwen Hopcroft (1311017)

Deletion of allocation and repurpose land for carbon capture and public open space.

Failing these reduce the development size, reduce the environmental impact with rigorous energy efficiency improvements, future proofing and waste and environmental mitigation actions (all assumed).

Glenurquhart Rural Community Association (GURCA) (1220765)

Additional of developer requirements: a community liaison group is set up at an early stage to involve the community in the construction phase, phasing etc; and, an archaeological survey is carried out to capture and record archaeological findings to add to the historic knowledge of the area.

Kerry Pocock (1324328)

None (assumed).

DR04: Land West of Post Office

Glenurquhart Rural Community Association (GURCA) (1220765)

Clarification that road access to the site will only be through the village car park (assumed).

Woodland Trust (1312249)

Addition of a developer requirement to safeguard adjacent Ancient Semi Natural Woodland on south west boundary including upland oakwood at NH506299 of approximately 0.75ha.

DR05: Shinty Pitch and Adjoining Land

Glenurquhart Rural Community Association (GURCA) (1220765)

None (assumed).

Glenurquhart Shinty Club per James Barr (1312280)

Clarification that land will be safeguarded only for recreational/community use.

Laura Stoddart (1311249)

Clarification that land will be safeguarded only for recreational/community use.

DR06: Schools' Junction

Glenurquhart Rural Community Association (GURCA) (1220765)

None (assumed).

SEPA (906306)

Deletion of "(no development in areas shown to be at risk of flooding)".

Summary of responses (including reasons) by planning authority:

Placemaking Priorities

Glen Urquhart Community Council (1323049)

Support noted. Drumnadrochit is not a viable location for significant future growth because it is not cost effective for the public or private sector to fund the investment in local infrastructure necessary to support that scale of growth. For example, significant improvements to public transport and strategic active travel connectivity to Inverness are cost prohibitive relative to the existing and additional population that would be served by those improvements. The Plan contains two mixed use land allocations that should generate additional local employment opportunities. The Plan has reached an advanced stage and is already the culmination of considerable input from local residents, statutory consultees, the development industry, councillors and officers. Scottish Government transitional provisions allow the Council to proceed to the Plan's adoption without pausing for Local Place Plan (LPP) or even NPF4 input. Indeed, NPF4 approval has been delayed for at least 6 months from its original deadline and the new LDP regulations and guidance at least until the start of 2023. The aIMFLDP is already over 7 years past its adoption date and a "new-style" replacement wouldn't be likely to be adopted and supersede it until 2026 at the earliest when the aIMFLDP provisions would be 11 years old. The Inner Moray Firth LDP area is the most populous of the 3 Council produced plans that cover Highland, experiences the most development pressure and is most crucial to economic growth. A "new-style" LDP for all of Highland will formally commence in 2023 and invite early LPP input so Glenurquhart community groups will be able to influence that plan at that time.

Accordingly, the Council believes the Plan should remain unaltered in respect of this issue.

Glenurquhart Rural Community Association (GURCA) (1220765)

Support noted. See response to Glen Urquhart Community Council above regarding the economic viability of significant improvements to public transport connectivity. The aIMFLDP process changed the Hinterland boundary to include land at Bunloit and Grotai because of the infrastructure and environmental constraints referenced by the respondent.

Settlement Map

Glen Urquhart Community Council (GUCC) (1323049)

See Placemaking Priorities response to Glen Urquhart Community Council above.

Glenurquhart Rural Community Association (GURCA) (1220765)

See Issue 8 GP4: Safeguarding Greenspace regarding the Council's general approach to the definition, identification and protection of greenspaces within all of the main settlements of the Plan area. The Greenspace Audit [*] is a point in time (summer 2022) assessment of existing spaces to check whether they merit direct policy protection from development. Spaces that meet the criteria have been classified as protected greenspaces. The Council has adopted a narrow, stringent definition of what should be protected to increase the chances of these spaces being protected in planning application decision making. So, spaces need to be accessible to most of the general public and offer an obvious amenity and/or recreational value to the general public to merit protection under this policy. Other spaces may be green (or blue) and may offer biodiversity, other natural heritage, indirect amenity or other benefits but are not accessible to and used by most of the general public. Some of these other spaces are recognised as important in connectivity terms for the movement of people and wildlife and have been given a Green Network notation on the main settlement maps. They have a separate general policy with a different policy test as explained in Issue 9 GP5: Green Networks. Some spaces are indicated as protected in the Audit but the solid green notation doesn't appear on the Plan settlement mapping. These are solely where there is an overlapping Plan allocation that provides more prescriptive advice on how the space should be retained but also enhanced. The most typical example of this would be a recreational facility including a sports pitch where the pitch needs extension or additional changing or other complementary facilities.

Applying these underlying principles to Drumnadrochit, the protected greenspaces that have not been "rolled-forward" from the aIMFLDP to the Plan are: the narrow A82 trunk road grass verges and the River Enrick riparian woodland because they don't have an overt public recreational value; and, the fenced grazing land above the schools and at Lewiston which aren't accessible to and used by the majority of local residents. The absence from the settlement map of a protected greenspace notation does not necessarily mean it is suitable for development. For example, the land at Lewiston (see response to John Fraser below), is rejected as a village expansion area. As the respondent admits this land is locally important farmland, provides sheep grazing and is only walked around and therefore doesn't function as public open space.

The Plan's active travel networks as depicted on the settlement map are existing and are identified for widening or other improvement and in the case of the A82, also for safer crossings.

Accordingly, the Council believes the Plan should remain unaltered in respect of this

issue.

John Fraser per GHJ (979522)

See Issue 3 Housing Requirements regarding the Council's response in disputing the claimed shortfall of effective housing sites. Within the Inverness HMA the Plan's 10 year, all sector Housing Supply Target (HST) is 4,405 units and corresponding Housing Land Requirement (HLR) 5,726 units. The Council's 2022 Housing Land Audit (HLA) programmes 6,888 units over a similar 10 year period and this total doesn't include small windfall developments. Therefore, there is no quantitative deficiency argument for allocating additional housing land. Drumnadrochit is a Tier 2 settlement in the Plan's hierarchy because it has only modest capacity in its infrastructure and facility networks, limited local employment opportunities, and limited public transport and active travel connectivity to higher order centres and their facilities and opportunities. For example, the village sewage works is already over its design capacity [*] and most potential development sites including this one rely upon access to an A82 trunk road that has safety and capacity issues most notably during the peak summer tourist season. See also the Placemaking Priorities response to Glen Urquhart Community Council above.

Notwithstanding the above, the Council accepts that the land has planning factor advantages. It is within active travel range of the wider community's facilities particularly its schools, it doesn't suffer from insurmountable physical or environmental constraints and has a constructed roundabout access to the A82. Other comments within this issue paper and at MIR stage [*] demonstrate that there is not consensus community support for the development of the site. It is likely to be the next sensible expansion site for the village but is not required within this Plan period. Most of allocation DR7 in the aIMFLDP has been developed or benefits from an extant permission for two commercial / business units. As stated above, the balance of this allocation isn't notated as protected greenspace and therefore the Plan provides no impediment to the implementation of the permission. The offer to consider self and custom build housing or other specialist housing accommodation is welcomed but is not a determining factor in deciding whether to allocate a large village expansion site. The landowner may wish to consider: advance structural planting; the creation of a green corridor between future new development and existing houses that will link to other green networks through the village; talking to Scottish Water regarding expanding sewage works capacity; and, designing how the site can best integrate with the community's active travel network. All of these measures would enhance the land's potential as the next village expansion site when the Plan is reviewed. Accordingly, the Council believes the Plan should remain unaltered in respect of this issue.

Penny Beech (1312358)

Support noted. The aIMFLDP process changed the Hinterland countryside policy boundary to include land at Bunloit and Grottaig because of the infrastructure and environmental constraints referenced by the respondent. The Plan directs most development to within main settlement boundaries. There are plentiful and sufficient housing component allocations within Drumnadrochit that should help divert pressure from the surrounding countryside.

DR01: Former A82 Retail Units

Glen Urquhart Community Council (1323049)

The aIMFLDP allocates the land under site reference DR8 for retail, business and community use. This allocation was first proposed at a time (2013) when the site accommodated a building occupied by going concern retail businesses. The allocation's purpose was to encourage redevelopment of the building which was a two storey, flat

roofed, block building without any architectural merit and poorly related to the A82 frontage. Indeed, its appearance was seen by many local residents as an eyesore prominent in views from the adjoining tourist route. Despite this allocation there had been no progress in activating the site for the stated uses by the time the present Plan process started in 2019. In the interim, the Scotmid Coop retail store had committed to move across the A82 to larger, purpose-built premises. Faced with the prospect of a large, vacant, eyesore building close to a principal tourist route, the Council decided (in the 2021 MIR as site DR04) to diversify the use mix to include housing to increase the viability and therefore likelihood of a redevelopment proposal. An affordable housing agency purchased the site in March 2020 and lodged a planning application for 15 housing units in April 2021 [*] which was refused by the Council in September 2021 [*] and the appeal of this refusal was dismissed in March 2022 [*]. The Plan (and the Council's reasoning in rejecting the application) supports a housing redevelopment of the site but wishes the scale of that proposal to be similar to the previous building, of far better architectural design and layout and to safeguard adjoining public amenity interests. The previous building has now been demolished but the site remains prominent and unattractive. The site has been purchased by an affordable housing agency, could deliver 100% affordable unit provision and is in a sustainable location central to a Tier 2 settlement. Alternative retail, business and community proposals were invited (by the aIMFLDP and the previous site owner) during the period 2013-2021 but none proved viable. Other land is allocated in the Plan for these uses at sites DR03-DR06. The Council accepts that an adequate safety setback between the shinty pitch and the development should apply and the site's developer requirements already reference the need for a setback. If the Reporter is so minded then the Council would support a more explicit reference to setback from the adjoining shinty pitch. The height, width and design of any safety netting is best dealt with at planning application stage when the scale, height and positioning of the buildings is known.

Glenurquhart Rural Community Association (GURCA) (1220765)

See response to Glen Urquhart Community Council above. GURCA had the opportunity to purchase the site for shinty use but chose not to do so. Plan allocation DR05 supports expansion of shinty facilities within its boundary, which is widely drawn and should allow sufficient scope for the enhancements proposed.

Glenurquhart Shinty Club per James Barr (1312280)

See response to Glen Urquhart Community Council above. All stages of the Plan process have been subject to the required consultation and publicity as have the planning application and appeal processes for the site. The shinty pitch and the previous retail building coexisted for decades without prejudice to either use.

Hector Mackenzie (1312335)

See responses to Glen Urquhart Community Council, GURCA and the Shinty Club above. Fencing mitigation is common place for sports pitches in close proximity to houses, roads or other potentially incompatible uses. Indeed, many school pitches are fenced for other reasons such as security or simply for easier ball retrieval. The goal at the nearer end of the shinty pitch already has fencing erected. Existing trees if augmented could also provide a physical barrier to mitigate the issue.

Highland Housing Alliance per Turley (1323057)

See response to Glen Urquhart Community Council above. The Plan sets a lower 10 unit indicative housing capacity because it believes that the application proposal is/was an overdevelopment of the site. The Council accepts that delivery of a 100% affordable unit

scheme would comply with particular Scottish Government and Council priorities and policies. The Council also recognises the investment to date in demolition of the previous “eyesore” building. The preparedness of the respondent to evolve a better scheme is welcomed but increasing the capacity to 15 housing units will not assist in this aim. The case officer recommended approval on balance but also recorded serious misgivings about the scale, design and layout of the proposal. These misgivings were shared by the Reporter at appeal.

James Barr (1311675)

See response to Glen Urquhart Community Council and GURCA above. The respondent points out a factual error in paragraph 149 of the PDF version of the Plan which refers to site DR01 which should have been updated to site DR02. The land described as adjoining the supermarket was site reference DR01 in the MIR and then became DR02 in the Proposed Plan. It is part permitted and part constructed. The factual error was the failure to update the site reference in paragraph 149 although there is no error in the development site tables. The Council would assert that no party has been prejudiced or disadvantaged by the factual error. The Council will correct it before the next Plan stage.

Laura Stoddart (1311249)

See response to Glen Urquhart Community Council and GURCA above. The Council agrees that the level of housing development supported by the Plan (including this site) is sufficient. This site could deliver 100% affordable unit provision and has had considerable public funding investment to date.

DR02: Land Adjoining Supermarket

Glenurquhart Rural Community Association (GURCA) (1220765)

The planning applications [*] relevant to this land were granted permission in 2022. They include both a permanent solution and a temporary footpath requirement and route to avoid the fenced construction area.

SEPA (906306)

As of October 2022, full planning permissions have been granted for the remaining phases and are very likely to be implemented and therefore the Council sees no need to set out requirements for alternative proposals.

DR03: Drum Farm

Dwynwen Hopcroft (1311017)

See Placemaking Priorities response to Glen Urquhart Community Council above regarding the appropriate scale of growth for the village. Extant permissions are very rarely revoked because of the compensation cost in doing so and the uncertainty it would create for all parties. Planning permission for this site was granted on appeal [*] in October 2021. The Council in making the prior refusal decision, rejected the capacity not the principle of housing and other development development proposed at this location. The latest planning permission for the housing component of the allocation [*] includes electric vehicle charging infrastructure. Accordingly, the Council believes the Plan should remain unaltered in respect of this issue.

Glenurquhart Rural Community Association (GURCA) (1220765)

The latest planning permission for the housing component of the allocation [*] includes requirements for a community liaison group and archaeological evaluation.

Kerry Pocock (1324328)

Noted. See Drum Farm responses above.

DR04: Land West of Post Office

Glenurquhart Rural Community Association (GURCA) (1220765)

Support noted. The Council accepts that the existing field gate access is unlikely to prove a suitable point of improved vehicular access to the A82 trunk road. It has visibility splay issues, is within an existing bus stop layby, and is in close proximity to other junctions, accesses, the River Enrick bridge and the new flood bund. The allocation's developer requirements are not prescriptive as to from where vehicular access should be taken and the Council wishes to avoid such prescriptive detail until detailed feasibility work has been undertaken via a Transport Statement. Avoiding such a Plan commitment will also dampen down any ransom value associated with a better access point. Accordingly, the Council believes the Plan should remain unaltered in respect of this issue.

Woodland Trust (1312249)

An existing developer requirement references the need to retain and set development back from boundary planting. Accordingly, the Council believes the Plan should remain unaltered in respect of this issue.

DR05: Shinty Pitch and Adjoining Land

Glenurquhart Rural Community Association (GURCA) (1220765)

Noted.

Glenurquhart Shinty Club per James Barr (1312280)

See the Council's response to DR01 above. The DR05 site is safeguarded only for recreational use and development ancillary to that recreational use. This accords with the respondent's wishes. Accordingly, the Council believes the Plan should remain unaltered in respect of this issue.

Laura Stoddart (1311249)

See response to Glenurquhart Shinty Club above.

DR06: Schools' Junction

Glenurquhart Rural Community Association (GURCA) (1220765)

Noted.

SEPA (906306)

The site is subject to significant pluvial flood risk on SEPA's published mapping because it forms a hollow. However, if the Reporter is minded to agree with SEPA's representation then the Council would accept that it would be sufficient solely to reference a Drainage Impact Assessment.

Reporter's conclusions:

Reporter's recommendations:

Issue 34	West Inverness	
Development plan reference:	Section 4 Places, West Inverness, PDF Pages 183-194	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Aileen Rore (1323128) Alison Matheson (1323245) Ballifeary Community Council (1312380) Carol Farquhar (1310330) Carolyn Thain (1312390) Catriona Mandica (1312543) Craig Simms (1312364) Dean Morrison (1310117) Iain Nelson (1323043) Ian Henderson (1312437) per Ness Planning Ian Stuart (1311449) Inverness West Community Council (1312441) Jayant Patel (1312233) Joanne Provan (1310424) Jonathan Bircumshaw (1310586) Katie Walter (1323046) Kerstine Simleit (1310360) Lochardil and Drummond Community Council (1270300) Marcus Morrison (1310543) <i>Merkinch Community Council (1324048)</i> NatureScot (1266529) Port of Inverness per G&S (1220786) Roberston Homes Ltd per BWP (1266646) Scottish Environment Protection Agency (906306) Stewart Thain (1312401)</p>		
Provision of the development plan to which the issue relates:	Placemaking Priorities 18, Settlement Map 22, Development Sites, PDF Paragraphs 176-180	
Planning authority's summary of the representation(s):		
<p>Placemaking Priorities 18 West Inverness <u>Port of Inverness (1220786)</u> Generally supportive of specified Placemaking Priorities for the West Inverness area. However, requests that the third bullet point also recognises the importance of the local nature reserve and planned community use at Merkinch (allocation INW14) and the role these play in creating a distinctive place and providing interaction with the waterfront.</p> <p><u>Robertson Homes (1266646)</u> Requests the reference to restricting development to the current built up area of</p>		

Westercraigs within the first Placemaking Priority is removed to reflect the requested allocation of additional sites east and west of existing development at Westercraigs.

Settlement Map 22 West Inverness

Ballifeary Community Council (1312380)

Considers Bught Park should be allocated given there are ambitions for its development. Wishes it to be ensured that there are no adverse effects on residents as a result of noise and increased pressure on the road network and parking.

Ballifeary Community Council (1312380)

Considers the Northern Meeting Park should be allocated given there are ambitions for its development. It must be ensured that there are no adverse effects on residents as a result of noise and increased pressure on the road network and parking. Should also recognise the outcome of the Park's User Group public consultation that found the need to safeguard and increase recreational access was a priority. It should also provide scope for developing the Park sensitively as a heritage attraction and to provide community facilities including meeting space and childcare facilities.

Craig Simms (1312364)

Supports Dalneigh Primary School playing field being identified as protected green space.

Iain Nelson (1323043)

Supports principles of future development and welcomes opportunities for improvements to the area. However, considers that Merkinch and South Kessock are relatively small areas so there are limited opportunities for new development and focus should be on protecting and improving the existing environment. Has some concerns about potential detrimental social and environmental effects of development, including impacts on the local nature reserve and Carnac Point, coastal wildlife and exacerbation of existing traffic issues. Feels it is important that community consultation is undertaken throughout any development.

Ian Henderson per Ness Planning (1312437)

Objects to land to the west of the former Clachnaharry Care Home [*] being identified as greenspace as it does not fit the defining criteria set out in the IMFpLDP2 or its associated greenspace audit or the definition of 'green infrastructure' as set out in section 3G of the Town and Country Planning (Scotland) Act 1997, in particular: it does not help define the character of the area as it cannot be viewed from the east or west as it is a housing area intercepted with amenity ground and play areas, it is distinct from the north west area that presents as a wooded scarp; constraints mean it does not improve local connectivity, in particular due to the presence of the steep sided quarry; it provides no amenity value other than trees to the north of the site which can be viewed from Clachnaharry Road; not visible and makes no contribution to neighbourhood; there is no easy access for local people as it comprises unmaintained rough ground and overgrown vegetation; it is not suitable for sport or recreation; it has no potential for community food growing as it is private land not within the ownership of the local community and has no potential to give locals access to diverse flora and fauna.

Requests for land to be shown as grey land within the settlement area for the following reasons: meets the objective of 'encouraging the creation of more walkable communities by supporting infill development in existing neighbourhoods'; former care home adjacent had planning permission for tourist accommodation and informal pre-application advice provided support for change of use to flatted accommodation which would bring much

needed affordable homes to Inverness; a sensitive low density development would enable a network of paths that the public could access and enjoy views; appropriate layout and design can be achieved through development management process; would also bring benefit of public access to former care home and compliant with IMFpLDP2 policies 1,8,9,10,13 and 14.

Kerstine Simleit (1310360)

Agrees with safeguarding of key green areas and the open space and education plan at Charleston Academy.

Lochardil and Drummond Community Council (1270300) and Alison Matheson (1323245)

Wishes allocated development sites to be consistent with protecting the defining landscape and manmade features of the city as specified in the West Inverness section of the Plan. Considers land to the west of the River Ness is a prime area of the city for residents and visitors. Wishes development of strategic areas for cycling and recreation at canal and Torvean Quarry which are already widely used for exercise as this would benefit younger people.

Merkinch Community Council (1324048)

Expresses some concerns about the Merkinch and South Kessock areas, in particular the need for an improved bus service, road and house repairs and solutions to current parking issues.

Roberston Homes per BWP (1266646)

Objects to the non-allocation of land to the south of Great Glen Place for 40 self-build house plots [*] and land to the west of Westercraigs, up the hill on land around Dunain Woods and the reservoir for tourism/leisure use [*] for the following reasons: the respondent has successfully delivered the planned, strategic expansion of Westercraigs for a significant period of time and is committed to completing the expansion area; requested allocations were within the settlement boundary in the aIMFLDP; requested amendments and additional allocations throughout the preparation of the emerging Plan; additional allocations would further improve the overall success and benefit of the expansion area; Plan should specify a higher housing land requirement than that currently set out.

Respondent additionally objects to the non-allocation of land to the south of Great Glen Place for 40 self-build house plots for the following specific reasons: disagrees with reasons for not allocating site set out in the report to the City of Inverness Area Committee on 18 November 2021; would be an integral part of the wider expansion area; would enhance the range and offer of building types; contribute towards meeting aims of Proposed Plan Policy 11 Self and Custom Build Housing; would provide effective site that would contribute to meeting housing land requirement and topography and existing vegetation enclose and screen most views into the site and planting and appropriate design and layout could minimise any visual impacts.

Respondent additionally objects to the non-allocation of land for tourism / leisure use to the west of Westercraigs, up the hill on land around Dunain Woods and the reservoir for the following specific reasons: community woodland would be retained and enhanced whilst sensitively integrating new high quality tourism/leisure facilities in a sensitive environment; development would avoid most sensitive areas; opportunity to realise ambition of establishing area as a destination for communities and visitors; enable Plan to realise important role of tourism, including Inverness and Loch Ness 'Sustainable Tourism

Potential Growth Area'; potential to improve footpath network in the area, including to Westercraigs development and encourage greater usage of Great Glen Way which runs through the site and potential for its improvement by means of developer contributions and site is close to public transport links that development may provide an opportunity to improve.

Roberston Homes per BWP (1266646)

Objects to the contraction of the settlement development area (SDA) on the western edge of Inverness in comparison to the aIMFLDP to exclude the south eastern edge of the Westercraigs development from the settlement boundary [*] because: it creates an irregular shape, offers a less defensible boundary than SDA in aIMFLDP; land does not form part of the setting of Inverness and appropriate forms of development would not have a detrimental visual impact on the setting of Inverness; topography and existing vegetation enclose and screen most views into the site and specification of requirements for planting and appropriate design and layout could minimise any visual impacts.

Objects to the contraction of the SDA on the western edge of Inverness in comparison to aIMFLDP to exclude land adjacent to Westercraigs to the east and to the west / encompassing Dunain Woods[*] because: considers aIMFLDP boundary is appropriate and forms an established and successful existing edge to this part of the City; no clear justification for SDA boundary now being limited to edge of built up areas; retention of land sets a clear emphasis that Dunain Woods is an asset for the Inverness and Westercraigs; retention within the settlement boundary enhances potential for limited development which could provide wider benefits.

Asserts that inclusion of both the above areas within the SDA will allow for valuable, well designed and appropriately planned new developments that will contribute to the offer both the Westercraigs City Expansion area and to the City of Inverness as a whole.

INW01: East of Stornoway Drive

Aileen Rore (1323128), Carol Farquhar (1310330), Catriona Mandica (1312543), Carolyn Thain (1312390), Ian Stuart (1311449), Inverness West Community Council (1312441), Jayant Patel (1312233), Jonathan Bircumshaw (1310586), Marcus Morrison (1310543), Stewart Thain (1312401) and Dean Morrison (1310117)

Object for one or more of the following reasons: local road network cannot accommodate additional traffic, particularly Leachkin Road, including its junction with Kirkwall Brae which is current not fit for purpose; Kirkwall Brae is liable to icing in the winter months; unclear where access will be taken; issues will be exacerbated by further housing; future development would require a junction upgrade, including a safe crossing point for children and other traffic calming measures; development capacity already reached in West Inverness given impacts of housing and other development in recent times, further development would continue to erode landscape character of the area and result in adverse visual and landscape impacts; impact on amenity of existing residents, particularly at Millerton Avenue, including overlooking and overshadowing; existing development has resulted in localised flooding within resident's gardens, concern additional development cause further flooding issues; loss of longstanding area of accessible green space that is used regularly by residents for walking and that provides a safe place for children to play; loss of last 'green lung' in Westercraigs area; will result in residents travelling by car to reach alternative green areas which is contrary to tackling environmental issues and encouraging sustainable modes of travel; allocation includes only play area in the whole of Westercraigs; area currently used by young residents to get

fresh air, exercise and socialise; impact on amenity of the Great Glen Way and Caledonian Canal cruises due to widespread built development resulting in a loss of its natural beauty; impact on wide variety of wildlife including frogs, rabbits, pheasants, deer, geese, buzzards, field mice, pine martin, hedgehog, various small birds and bats that currently flourish in their natural habitat throughout the year; catchment schools Charleston Academy and Kinmylies Primary School are both over capacity and will need to accommodate pupils generated by several developments in the area that are currently under construction as well as the proposal site; temporary classrooms have already been installed to increase capacity and resulted in a reduction in size of the school playing field and therefore it may be challenging to increase capacity further; Kinmylies Medical Practice is at maximum capacity and no longer accepting new patients, questions where new residents could be accommodated; other existing facilities, including pharmacy, post office and local shop are already under pressure from increasing demand from new large scale housing developments; no planned additional shops, services or recreation facilities have been provided to accommodate an increasing local population; limited facilities for youths have resulted in an uplift in crime and concerned development will have negative influence on future valuation of nearby properties.

Requests the required development brief must provide residents with an indicative overall plan for whole the area, including committing to delivering infrastructure such as wildlife corridors, amenity provision, circular walks tree/hedge planting and long term drainage in early phases of development.

Request for clarity on what the true intention for housing is in the proposed area. The key on the public notification shows the entire area allocated for housing with a smaller area overlaid for green networks. Concerned this may suggested that area will also become housing. Wishes the area shown as green network to be changed to green space as the current developments did not provide required provision of green space. Also suggestion area is shown as greenspace as housebuilders have not provided required minimum amount in surrounding developments.

Request for area to be allocated as green space to be used as a park for nature by including the already established suds pond, would result in saving a well used and enjoyed green space in the area.

Request for impact assessment on local wildlife pre and post development.

Suggests alternative sites should be considered on the city boundary to allow Inverness city residents to still enjoy green space, within walking distance of their homes, and enjoy the area where they live.

Roberston Homes Ltd per BWP (1266646)

Requests indicative capacity is increased to 400 units all within the first 10 years of the Plan but with the text of the allocation establishing that the overall site capacity should be aligned with the approved Torvean and Ness-side Development Brief (TNDB) for the following reasons: to reflect the long standing TNDB that is now included within IMFpLDP2; TNDB informed respondent's site assembly decisions and the plan making process of the local area for a considerable period of time; capacity of Torvean area allocations falls significantly short of the number of mainstream residential units outlined in the TNDB, particularly taking into account policy requirements set out in the IMFpLDP2 which requires specified proportions of housing sites to provide affordable housing, wheelchair liveable housing and self-build provision; aIMFLDP allocates IN24 Torvean and

Ness-side (Northern Part) for mixed uses including 535 homes, the total indicative capacity of the several sites the aIMFLDP site has been split in to in the aIMFLDP total would amount to less than the aIMFLDP allocation, no reason for the significant decrease has been provided and significantly greater than 90 homes can be delivered during the 10 year Plan period as the respondent is in control of the site and currently active on the adjacent Westercraigs Expansion area sites.

Also requests deletion of the developer requirements relating to no development at the southern, steeper part of the site as the extent of this potential area is difficult to define within allocation text and would be better defined within the required development brief that will be based on the findings of supporting studies.

INW04: West of St Valery Avenue

Joanne Provan (1310424)

Objects for the following reasons: potential for change in character of area which is currently quiet and secluded; increase in noise levels; reduction of privacy and security all of which will impact on the health of the respondent who lives close by and would be particularly affected because of her medical history. Proposal would also adversely impact on respondent's rescue cat who does not respond well to loud noises. Also objects to the loss of green space as children regularly play football and partake in general recreation within this space.

INW05: Westercraigs North

Lochardil and Drummond Community Council (1270300) and Alison Matheson (1323245)

Objects for the following reasons: adverse impact on area of significant value to wildlife and the community as a recreational resource and development will require a significant level of felling which is not consistent with the climate change policies in the IMFpLDP2. Asserts that the change in priorities should be used to reduce scale of development to give increased protection to the existing green space.

INW07: Torvean Quarry

Katie Walter (1323046)

Preference for preservation of site as green, recreational and active health space to ensure current uses are not lost by presence of business and industrial development.

Lochardil and Drummond Community Council (1270300) and Alison Matheson (1323245)

Objects to the inclusion of business and industry uses on the site for the following reasons: area is environmentally sensitive; adverse impact on vegetation, trees and wildlife inconsistent with climate emergency; inconsistent with Loch Ness 'Area of Outstanding Tourist Development' as will devalue the landscape character of the Caledonian Canal; area not suitable for development; currently popular area for walking and cycling and has potential for further recreational development. For these reasons considers uses should be limited to greenspace or community.

NatureScot (1266529)

Recommend developer requirements restrict development to existing quarried area of the site to ensure no damage to the Torvean Geological Conservation Review site and are compatible with the management requirements of the Torvean Landforms SSSI, and in particular ensure the objectives of the designation and the overall integrity of the site will not be compromised.

INW08: Torvean North

Katie Walter (1323046)

Preference for land to be retained for green space, health and recreation as this would be a significant asset for Inverness. Concerned education and health infrastructure to support additional homes may not be provided and therefore opportunity to provide significant asset could be a wasted opportunity.

Kerstine Simleit 1310360

Objects to inclusion of 30 homes within uses as considers entire site should be retained for green space, recreation and school expansion.

Scottish Environment Protection Agency (906306)

Requests the following additional developer requirement: 'Flood Risk Assessment required (no development in the area shown to be at risk of flooding)' as SEPA has records of flooding on the road adjacent to this site.

INW09: Torvean South

Katie Walter (1323046)

Considers focus for this area should be green space and active health rather than housing.

Kerstine Simleit (1310360)

Objects to allocation for the following reasons: area was purposely developed for nature; impact on popular area for runners and walkers, including 'Parkrun' on Saturdays which would not be able to operate any longer; development of houses and other buildings would result in a conflict of land use in already small area.

Lochardil and Drummond Community Council (1270300) and Alison Matheson (1323245)

Objects to development on the site for the following reasons: proposed uses not compatible with the sensitive nature of the site in terms of landscape value, archaeology and nearby SSSI; adverse impact on this key gateway to Inverness that features the Caledonian Canal and provides one of the most scenic views in Inverness and incompatible with a 'gateway vision' for corridor and Loch Ness 'Area of Outstanding Tourist Development'.

INW14: Merkinch Shore

Merkinch Community Council (1324048)

Concern with regards any development at Carnarc Point. Questions levels of car parking, how much of the shore will be fenced off, impact on mud flats and wildlife, need for storage, who the development is for and ways it may benefit the community and if such a development could work in Inverness. Seeks further information.

NatureScot (1266529)

Welcomes developer requirement for a Recreational Access Management Plan (RAMP) that considers water-based activities. Strongly recommends specifically referring to the need to avoid disturbance to the Moray Firth SAC bottlenose dolphin interests, and the bird interests of the Moray firth SPA as part of the RAMP and that the RAMP should also include measures such as adherence to the Scottish Marine Wildlife Code, and the WiSE scheme to help avoid, for example, rafts of birds on the water surface.

Port of Inverness per G&S (1220786)

Explains that Port of Inverness is proposing to develop a community based leisure and recreation development at this location with the intention of providing water-based

activities for residents and tourists. Intends to engage with local community to provide a facility that meets local needs and provides outdoor recreation that links with and complements Merkinch Nature Reserve, Caledonian Canal and the Port of Inverness and Scottish Canals proposals at Muirtown Basin which will create employment, community and an outdoor waterside hub at the Caledonian Canal.

Supports allocation but requests less onerous developer requirements given scale and low intensity uses proposed and that proposal does not merit the same level of assessment as INC06 Harbour Gait which proposes a larger mixed use development. Specific requests are set out in the paragraphs below:

Requests following text is removed from developer requirements ‘...by public sewer connection and comprehensive sustainable urban drainage system to deal with surface water run-off to avoid sedimentation and pollution reaching the Firth and River Moriston’ because whilst respondent understands there is a need to protect Merkinch Nature Reserve and listed SSSIs and European Sites the exact infrastructure requirements (e.g. sewer connections) will be dependent on the nature and scale of community use proposal brought forward.

Request following text is removed from developer requirements ‘satisfactory submission of a Construction Environmental Management Plan and Operational Environmental Management Plan both including prevention of sedimentation, pollution and disturbance, maintaining water quality and flow and controlling disturbance, piling, dredging and disposal sourcing of materials for land raising/reclamation, hydro-dynamic assessment of impacts of altered flows on sediment movement in relation to sub-tidal sandbanks’ because the use of the site is restricted to community use only and no land reclamation, piling or dredging works will be undertaken.

Request following text is removed from developer requirements ‘Noise and Vibration Mitigation Plan (including construction and operational phases and disturbance effects), Oil Spill Contingency Plan, Boat Traffic Management Plan, Hydro-Dynamic study to assess the impact of altered flows on sediment movements in the firth in relation to subtidal sandbanks, full compliance with appropriate regulatory frameworks for ballast water discharge, dredging and disposal and ship-to-ship transfers including Marine Scotland dredging and disposal guidance (both for capital and maintenance spoil) and JNCC piling guidance’ because the allocation is purely for community use for water-based activities these assessments are not necessary.

Scottish Environment Protection Agency (906306)

Objects unless reference to land reclamation is removed from the developer requirements as the shape of the allocation show that all works must occur above high water springs. Recommends that consideration is given to whether other aspects of the development requirements such as those relating to ballast water discharge and ship to ship transfer are relevant to this allocation and whether they could be removed.

Modifications sought by those submitting representations:

Placemaking Priorities 18 West Inverness

Port of Inverness (1220786)

Third bullet point to recognise the importance of the local nature reserve and planned community use at Merkinch (allocation INW14) and the role these play in creating a distinctive place and providing interaction with the waterfront.

Robertson Homes (1266646)

Reference to restricting development to the current built up area of Westercraigs within the first Placemaking Priority is removed to reflect the requested allocation of additional sites east and west of existing development at Westercraigs.

Settlement Map 22 West Inverness

Ballifeary Community Council (1312380)

Allocation of Bught Park to reflect development ambitions.

Ballifeary Community Council (1312380)

Allocation of Northern Meeting Park to reflect development ambitions.

Craig Simms (1312364)

None.

Iain Nelson (1323043)

Greater focus on protecting and improving the existing environment.

Ian Henderson per Ness Planning (1312437)

Delete greenspace allocation at land south and west of former Clachnaharry Care Home.

Kerstine Simleit (1310360)

None.

Lochardil and Drummond Community Council (1270300) and Alison Matheson (1323245)

Development of strategic areas for cycling and recreation at Caledonian Canal and Torvean Quarry.

Merkinch Community Council (1324048)

Unclear.

Roberston Homes per BWP (1266646)

Allocation of land to the south of Great Glen Place for 40 self-build house plots and land to the west of Westercraigs, up the hill on land around Dunain Woods and the reservoir for tourism/leisure use.

Roberston Homes per BWP (1266646)

Expansion of SDA to include land to the south of Great Glen Place and land to the west of Westercraigs, up the hill on land around Dunain Woods and the reservoir.

INW01: East of Stornoway Drive

Aileen Rore (1323128), Carol Farquhar (1310330), Catriona Mandica (1312543), Carolyn Thain (1312390), Ian Stuart (1311449), Inverness West Community Council (1312441), Jayant Patel (1312233), Jonathan Bircumshaw (1310586), Marcus Morrison (1310543), Stewart Thain (1312401) and Dean Morrison (1310117)

Removal of allocation and/or allocate entire site as protected greenspace. Allocate alternative sites on city boundary. Alternatively one or more of the following changes: provide clarity of overlapping housing and green network allocation; change green network area to greenspace allocation; amend developer requirements to specify provision of additional detail within development brief and impact assessment on local wildlife pre and post development.

Roberston Homes Ltd per BWP (1266646)

Increase capacity to 400 units all within the first 10 years of the Plan. Developer requirements state that the overall site capacity should be aligned with the approved TNDB. Deletion of the developer requirement relating to no development at the southern, steeper part of the site.

INW04: West of St Valery Avenue

Joanne Provan (1310424)

Removal of site and allocation for greenspace (assumed).

INW05: Westercraigs North

Lochardil and Drummond Community Council (1270300) and Alison Matheson (1323245)

Reduce scale of development and give greater protection to existing green space (assumed).

INW07: Torvean Quarry

Katie Walter (1323046)

Allocate for greenspace (assumed).

Lochardil and Drummond Community Council (1270300) and Alison Matheson (1323245)

Allocate for greenspace or community.

NatureScot (1266529)

Developer requirements restrict development to existing quarried area of the site.

INW08: Torvean North

Katie Walter (1323046)

Allocate for greenspace (assumed).

Kerstine Simleit (1310360)

Allocate for green space, recreation and school expansion.

Scottish Environment Protection Agency (906306)

Additional developer requirement: 'Flood Risk Assessment required (no development in the area shown to be at risk of flooding)'.

INW09: Torvean South

Katie Walter (1323046)

Allocate for greenspace (assumed).

Kerstine Simleit (1310360)

Delete allocation (assumed).

Lochardil and Drummond Community Council (1270300) and Alison Matheson (1323245)

Delete allocation (assumed).

INW14: Merkinch Shore

Merkinch Community Council (1324048)

Provide clarity on car parking, how much of the shore will be fenced off, impact on mud flats and wildlife, need for storage, who the development is for and ways it may benefit the community.

NatureScot (1266529)

Reference to the need to avoid disturbance to the Moray Firth SAC bottlenose dolphin interests, and the bird interests of the Moray firth SPA as part of the RAMP and RAMP to include adherence to the Scottish Marine Wildlife Code, and the WiSE scheme to help avoid, for example, rafts of birds on the water surface.

Port of Inverness per G&S (1220786)

Following text removed from developer requirements ‘...by public sewer connection and comprehensive sustainable urban drainage system to deal with surface water run-off to avoid sedimentation and pollution reaching the Firth and River Moriston’.

Following text is removed from developer requirements ‘satisfactory submission of a Construction Environmental Management Plan and Operational Environmental Management Plan both including prevention of sedimentation, pollution and disturbance, maintaining water quality and flow and controlling disturbance, piling, dredging and disposal sourcing of materials for land raising/reclamation, hydro-dynamic assessment of impacts of altered flows on sediment movement in relation to sub-tidal sandbanks’.

Following text removed from developer requirements ‘Noise and Vibration Mitigation Plan (including construction and operational phases and disturbance effects), Oil Spill Contingency Plan, Boat Traffic Management Plan, Hydro-Dynamic study to assess the impact of altered flows on sediment movements in the firth in relation to subtidal sandbanks, full compliance with appropriate regulatory frameworks for ballast water discharge, dredging and disposal and ship-to-ship transfers including Marine Scotland dredging and disposal guidance (both for capital and maintenance spoil) and JNCC piling guidance.’

Scottish Environment Protection Agency (906306)

Remove reference to land reclamation, ballast water discharge and ship to ship transfer from the developer requirements.

Summary of responses (including reasons) by planning authority:

Placemaking Priorities 18 West Inverness

Port of Inverness (1220786)

The Placemaking Priorities for West Inverness provide context and outline key opportunities for growth, sustainable travel and green and blue networks in the area. It is accepted that there may be merit in specifically recognising opportunities at Merkinch Shore within the Placemaking Priorities given the nature of the proposal and its role in the regeneration of the area. Accordingly, if the Reporter is so minded, the Council would be supportive of the third bullet point of the Placemaking Priorities being amended to read: “Promote the regeneration of Muirtown and South Kessock into vibrant mixed use and distinctive neighbourhoods centred on new waterside destinations that fulfil green and blue network opportunities and serve locals and visitors to the City”. This statement widens the scope of the Placemaking Priority to recognise ‘waterside opportunities’ that include the Caledonian Canal and the Firths and outlines the role of green and blue networks in these areas. Accordingly, if the Reporter is so minded, the Council would also be supportive of the first sentence of paragraph 178 of the pre-amble to West Inverness being amended to read “Redevelopment and green and blue network opportunities at South Kessock and Muirtown Basin will support the regeneration of this area to provide distinctive places that interact with new waterside destinations.”

Robertson Homes (1266646)

The Council does not support additional allocations or expansion of the SDA at the locations requested by the respondent. Reasons for not supporting these changes are explained in detail in the response to the same respondent below. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Settlement Map 22 West Inverness

Ballifeary Community Council (1312380)

A successful bid by the Council was made to the Government's Levelling Up Fund for its 'Inverness Zero Carbon Cultural Regeneration' project in 2021[*]. The Council was awarded almost £20 million for the delivery of three independent but complementary projects at Inverness Castlehill, Northern Meeting Park and Bught Park. It was envisaged that combined the projects would drive the environmental, cultural and economic regeneration of Inverness.

Bught Park forms an integral part of a suite of sports and leisure facilities in west Inverness. It comprises a number of sports pitches and a grandstand with spectator seating and changing rooms. It is also used as the principal venue for outdoor concerts and other major events in the city. The project at Bught Park was awarded £7.1 million to refurbish its grandstand, develop a museum of shinty and provide improved infrastructure for large-scale outdoor events. These projects will allow Bught Park to develop its role as a hub for sports and leisure facilities and develop the home of the Highland's indigenous sport, shinty. A planning application (reference: 22/03916/FUL) for these projects is under consideration at the time of writing [*].

In the IMFpLDP2 Bught Park, including its pitches and grandstand, is shown as protected greenspace. The updated Greenspace Audit (summer 2022) continues to recommend Bught Park is shown as protected greenspace [*]. See Issue 8 GP4: Safeguarding Greenspace regarding the Council's general approach to the definition, identification and protection of greenspaces within all of the main settlements of the Plan area.

Any development on areas identified as greenspace would be assessed against HwLDP Policy 75 Open Space and Policy 76 Playing Fields and Sports Pitches and IMFpLDP2 Policy 4 Greenspace. The proposals are expected to be consistent with these policies as they are unlikely to affect the sports pitches themselves and would result in improved facilities. Therefore, given that current and future policies allow for current proposals to be implemented it is not considered that a specific allocation at Bught Park is necessary to allow proposals to be implemented. However, given the level of investment now being directed to Bught Park and the Northern Meeting Park there may be merit in recognition of this in the Plan. Accordingly, if the Reporter is so minded, the Council would be supportive of an additional bullet point to the Placemaking Priorities that reads, 'Investment in infrastructure at Bught Park and the Northern Meeting Park to provide state of the art sports and leisure facilities that will drive environmental, cultural and economic regeneration of the City'. To reflect this, if the Reporter is so minded, the Council would be supportive of an additional sentence before the last sentence of paragraph 177 of the pre-ambule to West Inverness to read, 'The Council's successful bid from the Government's Levelling Up Fund for its 'Inverness Zero Carbon Cultural Regeneration' project will allow key green spaces at Bught Park and the Northern Meeting Park to realise ambitions of providing improved sports and leisure facilities that serve City and further afield'.

In terms of avoidance of adverse effects on residents, the development management

process for planning applications for elements of the redevelopment will consider impacts on residential amenity. Furthermore, in terms of traffic, a new car and coach parking facility was provided off the new West Link Road south of the Bught that was intended to serve as a 'Park and Stride' for major events at Bught Park. A benefit of this was that it would limit additional demand on the road network around the Bught and Ballifeary areas which would assist to minimise congestion issues and amenity impacts to local residents. It is therefore considered that it is not necessary for the Plan to make any reference to impacts on residential amenity as a result of proposals at Bught Park.

Ballifeary Community Council (1312380)

As outlined in the response above, the Council made a successful bid to the Government's Levelling Up Fund project 'Inverness Zero Carbon Cultural Regeneration' project in 2021. The project at the Northern Meeting Park was awarded £5.2 million to refurbish the existing B listed historic grandstand, the creation of a new pavilion within the grounds of the park with a large function room suitable for a wide range of activities by local user groups and improved infrastructure for events, supported by ground source heating. A planning application (reference: 22/03954/FUL) for this project is under consideration at the time of writing [*].

In the IMFpLDP2 the Northern Meeting Park, including its pitches and grandstand, is shown as greenspace. The updated Greenspace Audit (summer 2022) continues to recommend the Northern Park is shown as protected greenspace [*]. See Issue 8 GP4: Safeguarding Greenspace regarding the Council's general approach to the definition, identification and protection of greenspaces within all of the main settlements of the Plan area.

Any development on areas identified as greenspace would be assessed against HWLDP Policy 75 Open Space and Policy 76 Playing Fields and Sports Pitches and IMFpLDP2 Policy 4 Greenspace. The proposals are expected to be consistent with these policies as they are unlikely to affect the use of the greenspace and would result in improved facilities. Therefore given that current and future policies allow for current proposals to be implemented it is not considered that a specific allocation at the Northern Meeting Park is necessary. However, given the level of investment now being directed to Bught Park and the Northern Meeting Park there may be merit in recognition of this in the Plan. As such the Council's suggestion, if the Reporter is so minded, for additional pre-able text and Placemaking Priority bullet point outlined in its response to the comment above from the same respondent that makes reference to the Northern Meeting Park and Bught Park is recommended.

The need to safeguard and increase recreational access and provide community facilities was recognised within the funding bid and is being progressed as part of the current planning application. The proposals intend to provide indoor and outdoor areas for exhibitions, community meetings and events, education and performances. The sensitive redevelopment of the Northern Meeting Park as a heritage attraction is also being taken forward as part of the detailed planning application and associated listed building consent application. In terms of avoidance of adverse effects on residents, the development management process will consider impacts on residential amenity.`

Craig Simms (1312364)

Support noted.

Iain Nelson (1323043)

The Council consider that the parts of IMFpLDP2 relevant to the Merkinch and South Kessock areas of Inverness strike a reasonable balance between promoting development and safeguarding the existing environment. The environmental impact of allocations have been assessed through the Plan's Strategic Environmental Assessment and Habitats Regulation Appraisal. Developer requirements for each allocation specify mitigation required to minimise environmental impacts and further requirements may arise through the development management process. The IMFpLDP2 as required by legislation has been subject to several rounds of community consultation, there will be an opportunity for communities to comment on future planning applications and dependent on the scale of any future applications applicants may also require to undertake community consultation prior to submitting a planning application. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Ian Henderson per Ness Planning (1312437)

See Issue 8 GP4: Safeguarding Greenspace regarding the Council's general approach to the definition, identification and protection of greenspaces within all of the main settlements of the Plan area.

In the aIMFLDP and the IMFpLDP2 land to the west of Clachnaharry Care Home is shown as protected greenspace. The updated Greenspace Audit (summer 2022) is a point in time assessment of existing spaces to check whether they merit direct policy protection from development. Spaces that meet the criteria have been classified as protected greenspaces. The Council has adopted a narrow, stringent definition of what should be protected to increase the chances of these spaces being protected in planning application decision making. So, spaces need to be accessible to most of the general public and offer an obvious amenity and/or recreational value to the general public to merit protection under this policy.

A reassessment of land to the west of Clachnaharry Care Home as part of the updated Greenspace Audit found that it did not meet the criteria described above to warrant classification as a protected greenspace. This was for a number of the reasons, including some detailed in the respondent's representation. It was found that it fitted better with a green network classification whereby it may offer biodiversity, other natural heritage, indirect amenity or other benefits, including being important in connectivity terms for the movement of wildlife. Green networks have a separate general policy with a different policy test as explained in Issue 9 GP5: Green Networks.

Given findings of the Greenspace Audit that the site meets the criteria for green network classification it would be inappropriate for the site to be shown as grey land within the SDA in the Plan. The Plan explains that development can be flexibly accommodated within or adjacent to a green network as long as the network's connectivity and integrity is maintained and it is incorporated into a development as a positive landscape and design feature. Whilst green network classification may allow for some development potential, other constraints may limit any development potential at this location, in particular: the presence of a Tree Preservation Order [*] on land directly west and south of the former care home, any loss of trees has the potential to have an adverse effect on the amenity and biodiversity of the site and may be inconsistent with HwLDP and IMFpLDP policies; impact on the amenity and privacy currently enjoyed by residents on Swanston Avenue and difficulties in safely accessing the site by vehicle. It would be for the development management process to explore any potentially acceptable design and layout of development on site, within the confines of the constraints outlined.

The site is located within an existing residential area which is close to a number of local facilities, including a recreation ground and equipped play area directly adjacent to the site's southern boundary and the Caledonian Canal close by to the east. Its development may improve the accessibility of the site and the wider area by sustainable means for the general public. Both these factors support the creation of walkable communities within the site, however this does not negate a number of development constraints on the site that may ultimately limit its development potential.

The former Clachnaharry Home is a substantial building which has lain vacant for a number of years. In the aIMFLPD and IMFpLDP2 (including the updated Greenspace Audit) it lies on grey land within the SDA. A number of proposals for the conversion of this building have been explored in recent years and the principle of its redevelopment has been consistently supported by the Council. The redevelopment of this building could satisfactorily take place independently of any new development of the greenspace to the west.

Kerstine Simleit (1310360)

Support noted.

Lochardil and Drummond Community Council (1270300) and Alison Matheson (1323245)

The Council consider that the development and greenspace safeguards in West Inverness are consistent with protecting the defining landscape and manmade features of the city. Many of the allocations in West Inverness are generally long standing allocations that have been carried forward from previous local development plans and for some areas detailed development briefs and/or masterplans are in place that help to guide the appearance of development. There are no new large scale allocations in West Inverness.

In terms of the development of strategic areas for cycling and recreation, active travel opportunities in the area have been improved through the redevelopment of the Torvean and Ness-side areas, including the new Torvean Park close to the Canal. Opportunities for further development of an active travel network throughout West Inverness are outlined in its Settlement Map, the TNDB and a developer requirement for INW07 Torvean Quarry is for an active travel connection to the site from the Caledonian Canal Towpath.

Merkinch Community Council (1324048)

Many of the issues raised in this response are out with the scope of the development plan to address, in particular road and house repairs and current parking issues. However, there is potential for improved bus services as part of the delivery of development allocations and this would be explored during the development management process inline with the Council's Developer Contributions Supplementary Guidance.

Roberston Homes per BWP (1266646)

It is accepted that the respondent has been delivering the permitted Westerbraigs Masterplan [*] for 550 homes, including completing the redevelopment of the Category B Listed former Craig Dunain Hospital, for a significant period of time. The residential element of INW06 Westerbraigs South is nearing completion and planning applications for INW05 Westerbraigs North have been permitted [*] (subject to the successful conclusion of a legal agreement). It is therefore accepted that the respondent is committed to completing the Westerbraigs Masterplan.

The SDA in the aIMFLPD enclosed the requested allocations. Land to the south of Great Glen Place was shown as grey land whereas land to the west of Westerbraigs, up the hill

on land around Dunain Woods and the reservoir was shown as a community allocation (IN29 Dunain Woodland). The methodology for drawing the SDA for the IMFpLDP2 took a revised approach whereby the boundaries were intended to reflect built up areas of the city and allocated sites. The reasons behind this were to provide additional control over development out with allocations to help reduce unplanned, piecemeal development and to maintain the setting and character of settlements. This resulted in the land to the south of Great Glen Place being excluded from the SDA. The Dunain Woodland allocation was excluded as it is not essential for a community woodland allocation to gain support and to limit development at this location in the interests of preserving the landscape assets that define the city, including Dunain Hill.

The respondent asserts that the requested allocations were sought throughout the preparation of the emerging Plan. However, the sites were not suggested during the Plan's Call for Sites exercise that took place in 2019. As a result the requested allocations were not included in the Main Issues Report as development options. The respondent's requests were first suggested in response to the Main Issues Report. It is beneficial for sites to be submitted for consideration during the earlier Call for Sites stage of the Plan to ensure the planning authority is able to properly assess the merits of the proposal, particularly in terms of inclusion in the Strategic Environmental Assessment (including input from the consultation authorities) and to allow for public engagement. As far as the Council is aware the respondent has not undertaken any form of community engagement for the proposals. This makes it challenging to undertake a full assessment of the sites.

The Council does not agree that additional allocations are required to further improve the overall success and benefits of the expansion area. Developments at Westercraigs represent a strategic expansion to West Inverness of over 850 new homes. A number of phases are yet to be built out within the expansion area and it is expected that it will continue to contribute to the city's housing supply throughout the Plan period. The limits of the expansion area have been defined for a significant period of time and reflect landscape factors to ensure the rolling farmland and wooded slopes integral to the setting of the city are preserved. Furthermore, there is limited infrastructure capacity to accommodate additional development.

In terms of contributing towards the effective housing land supply there is no backlog of pent-up housing demand that justifies a further increase in the Council's already generous housing land supply in the Inverness Housing Market Area. Further information on this aspect is provided within the Schedule 4 Issue Number 3 Housing Requirements.

Responses to the specific objections for the non-allocation of land to the south of Great Glen Way follow. The report to the City of Inverness Area Committee on 18 November 2021 asked Members, *inter alia*, to note the issues raised by respondents to the consultation on Local/City committee specific matters and agree the recommended responses to the issues. With reference to this the reasons given in this committee report for exclusion of the site were as follows '...would result in detrimental visual impact to the farmed slope that forms part of the setting of the city and additional housing sites are not required to meet the housing land requirement'. These reasons for not supporting the additional allocation remain valid and have been explained in further detail above.

In terms of the site forming an integral part of the expansion area, this is disputed as its development would interrupt an otherwise undeveloped 'green finger' of the city that forms part of the setting of the B Listed Craig Dunain Hospital (now known as Great Glen Hall or Glean Mor House) and would represent an illogical expansion location.

Paragraph 81 of the IMFpLDP2 explains that the Council and the Scottish Government are keen to increase the supply of self and custom build plots in sustainable locations. Policy 11 Self and Custom Build Housing aims to help achieve this. However, the policy limits the maximum number of serviced plots to be provided on any site required by the policy to 10 plots to avoid over-supply within any development of area. As such it is considered that 40 self-build plots would represent an oversupply that would be more appropriately delivered within a housing site that provides a range and mix of house types of differing tenures. For further information on this Policy, see Issue Number 15, Self and Custom Build Housing. In terms of visual impacts, whilst certain mitigation is suggested, concerns remain that development at this location could adversely affect the landscape setting of the city. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Responses to specific objections for the non-allocation of land to the west of Westercraigs, up the hill on land around Dunain Woods and the reservoir for tourism/leisure uses follow. A tourism/leisure development is not essential to ensure that Dunain Woodland is retained and enhanced as a community woodland. The Council understands that Dunain Woodland is under the control of the respondent and Dunain Community Woodland coordinates activity within the woods under permission from the respondent. It has not been demonstrated how the community woodland would successfully integrate with a tourism/leisure development. Whilst the provision of additional quality tourism attractions and accommodation is supported in Highland there is insufficient detail on the nature, scale and location of the proposal to properly assess its suitability for inclusion in the Plan. As such, it is considered more appropriate for any future proposal to be assessed against relevant policies of the HwLDP.

A drawing included in the representation indicates that the tourism/leisure use allocation is proposed to be located on the western and northern fringes of an expanded SDA. The response explains that development would avoid the most sensitive areas. However, without any detail of the nature, scale and more accurate location of any tourism/leisure proposal it is difficult to assess potential impacts of the proposal.

The IMFpLDP2 (paragraph 37) recognises that tourism is an increasingly important part of the Inner Moray Firth economy that is helping to sustain employment and economic activity in both urban and rural communities. The Plan's Spatial Strategy identifies the Loch Ness corridor as a 'Sustainable Tourism Potential Growth Area'. Paragraph 38 explains that the Council will continue to work with partners including Visit Inverness Loch Ness Bid and HIE to deliver a shared vision and coordinated strategy for Loch Ness, and to consider its connections with the city. The purpose of the recognition of the current and future importance of tourism is part of the Plan's high level strategy and support for tourism related growth. The sustainable tourism potential growth area stretches from Inverness to south of Fort Augustus. It represents a vast area of sensitive landscapes and environments, its recognition was as much to highlight sustainable tourism opportunities as well as opportunities for suitable new tourism developments. HwLDP policies support tourism developments subject to detailed considerations and therefore it is not considered appropriate to allocate sites where there is little certainty of the scale, nature and location of development proposals.

The long distance trail, the Great Glen Way, runs through the site. A core path and a number of other paths contained on the Council's Wider Record also fall within the site. Bus stops are present on Forester's Way which is within 400m of the site. Whilst the site is

accessible by sustainable means and may provide an opportunity to further improve accessibility these are not sufficient reasons to support an allocation at this location. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Roberston Homes per BWP (1266646)

See response to Robertson Homes above with regards to methodology for defining the SDA and impacts on the setting of the city. With regards to land to the south of Great Glen Place the creation of an irregular shape by the exclusion of the area from the SDA is not significant. The SDA is largely defined to inform the future development of the city, the creation of a regular shape is not necessary. It is considered that by excluding the area from the SDA that a more defensible boundary is being created as it will limit development potential and ensure mature landscape features are retained.

With regards to land to the west of Westercraigs, up the hill on land around Dunain Woods and the reservoir it is not considered necessary for the land to be included within the SDA for it be recognised as an asset for the area. In terms of enhancing development potential, given the sites sensitive location, it is considered that an allocation is not appropriate, rather any future proposal could be considered against HwLDP policies.

INW01: East of Stornoway Drive

Aileen Rore (1323128), Carol Farquhar (1310330), Catriona Mandica (1312543), Carolyn Thain (1312390), Ian Stuart (1311449), Inverness West Community Council (1312441), Jayant Patel (1312233), Jonathan Bircumshaw (1310586), Marcus Morrison (1310543), Stewart Thain (1312401) and Dean Morrison (1310117)

This site is located in a central part of the Westercraigs expansion area. The principle of development on this site is long established by the allocation of the wider area in the HwLDP and aIMFLDP. Further detail on the principles of its development were also provided within the TNDB (first adopted in 2013 and subsequently updated in 2019).

In terms of the impact on the local road network a Transport Assessment will be required to be submitted to support any future planning application. The scope of the Transport Assessment will be agreed with the Council's Transport Planning Team and where required Transport Scotland. As shown on the 'Indicative Torvean and Ness-side Masterplan' contained within the TNDB access to the site is proposed to be taken from a new road off Golf View Road close to its junction with Golf View Terrace [*]. This road will serve as the distributor road for the site and connect with the eastern end of Kirkwall Brae. With regards to the junction of Kirkwall Brae with Leachkin Road, a Transport Assessment would determine the capacity of this junction and what mitigation may be required, alongside any additional traffic calming and other road safety mitigation.

With regards to landscape capacity, as explained above, the development of the site is a part of the long established development strategy in Inverness. The site is enclosed by development to the north, east and west. Its development does not compromise the setting of the city in the west and south west afforded by the wooded and farmed slopes. The sites developer requirements include a holdback distance from existing trees, this will help to limit the visual impact of the development. Further requirements that help to limit landscape impact and integrate the development with the surrounding area are likely to be required within the development brief and any future planning application.

In terms of adverse impacts on the amenity of nearby residents no precise detail is known for the housing layout to the rear of Millerton Avenue but the 'Indicative Torvean and

Ness-side Masterplan' contained within the TNDB suggests some public open space set-back and the need for large water drainage devices. This would provide a substantial set back from existing homes at this location. Furthermore, all development will require to be compatible with Policy 28 Sustainable Design of the HwLDP which, *inter alia*, assesses proposals impact on individual and community residential amenity.

It is understood that there have been localised flooding incidents within existing development at Westercraigs. Any past and current drainage problems are enforcement issues related to past planning applications and cannot be dealt with through the local development plan process. Despite this, the Council is aware that surface water drainage presents a challenge for the development of site, in particular land to the west of Millerton Avenue. Sufficient land is available for the creation of sustainable drainage systems, and the topography allows for water to be channelled to the south of the site. Detailed design can be addressed at the development brief and development management stage.

As explained previously the principle of development on this site has been long established through previous development plans and the existing TNDB. The site is allocated in the aIMFLDP and not contained within the Council's Greenspace Audit as protected greenspace, it therefore has no policy protection as a greenspace. It currently comprises rough grass intersected by a number of recognised and informal paths. As indicated in its developer requirements a significant portion of the site will require to be retained for green network purposes. Open space provision within the development will be required in line with HwLDP Policy 75. The required development brief will provide a masterplan that indicates the most suitable areas for attractive open spaces and green networks that provide opportunities for recreation and wildlife.

A planning application for the approval of matters specified in conditions (reference: 20/03555/MSC) was permitted in March 2022 for a number of path links and play areas within the Westercraigs development [*]. This included an Open Space Strategy which provided details of equipped play areas, informal play areas, an adventure playground, amenity greenspace and community woodland and parkland. The majority of these facilities were conditioned to be delivered by 31 July 2022. As such there is now a range of play areas within Westercraigs; current play opportunities in the area are not limited to informal play within the site itself. There are also a number of other green spaces nearby, including the newly created Torvean Park which is approximately 1km away. The allocation does include the multi-use games area situated to the south Stornoway Drive, however it is intended to be retained as part of the wider open space strategy at Westercraigs and potentially additional facilities will be provided at this location. This is reflected in the developer requirements which stipulate green networks must be enhanced and no development is supported at the southern, steeper part of the site where the multi-use games area is located.

The Great Glen Way long distance trail runs parallel to part of the eastern boundary and the entire southern boundary of the site. The trail begins at Inverness Castle in the city centre and follows a route west out of the city. This part of the trail is urban in character before the fringes of the city are met. Policy 78 Long Distance Routes of the HwLDP safeguards this route and its setting and a developer requirement for this allocation also stipulates the path must be safeguarded. As such it will be important that this part of the Great Glen Way is retained and impacts on its setting considered. The precise detail of the incorporation of the Great Glen Way will be explored during the preparation of the required Development Brief and any subsequent planning application.

It is understood that a variety of wildlife is present on the site. The developer requirements for the site include a Protected Species Survey, any subsequent mitigation will be required to be incorporated into the proposal. Furthermore, the sites green networks will provide physical, visual and habitat connections and ensuring accessibility for both wildlife and people.

The site lies within the catchment area of Kinmylies Primary School and Charleston Academy. The Council's 2021/22 School Roll Forecast for Kinmylies Primary (which takes account of projected future developments) indicates that the school is running at 94% of its capacity and shows that the school roll is projected to exceed the current capacity during the forecasting period [*]. The Council's IMFLDP Delivery Programme 2022 includes a major extension to this school and developer contributions are being sought for this purpose for all housing development within the school's catchment. Furthermore land at Torvean North (INW08) is safeguarded for a new primary school if required by the Council. A new primary school at this location may serve the development.

With regards to Charleston Academy the Council's 2021/22 School Roll Forecast indicates that the school is running at 88% of its capacity and shows that the capacity is projected to exceed the current capacity [*]. The Council's IMFLDP Delivery Programme 2022 includes a major extension and refurbishment to this school and developer contributions are being sought for this purpose for all housing development within the school's catchment. It is therefore likely that increased capacity will be provided at Charleston Academy.

In relation to healthcare facilities, it is not disputed that Kinmylies Medical Practice is at maximum capacity. However, healthcare is largely provided by NHS Highland and is not the responsibility of the Council. GP practices have very uncertain capacities because they do not have defined catchments. It is open to new residents to choose to register with a GP practice elsewhere that does have capacity. Issues relating to capacity of GP practices should be directed to NHS Highland directly.

There are a number of small scale local services and facilities, including a post office, pharmacy and convenience store approximately 200m from the north-eastern corner of the site. However, it is accepted that given the level of additional housing proposed by this site, the gradients of the area and large scale of the site, alongside the development of several other sites within the Westercraigs expansion area, additional facilities would help to create a more sustainable mixed use neighbourhood. Planning applications are currently under consideration for a retail shop (reference: 22/015476/PIP) and the change of use of a church to community facility (reference: 22/01554/FUL) both located at land to the south of Great Glen House, Leachkin Road which is approximately 300m to the south west of the site. These proposals will provide additional facilities for new and existing residents.

The southern part of the allocation is overlaid as green network to reflect that it is intended to be retained for green network and/or greenspace due to its steep gradient and location pertinent to facilitate a green network. It is for a future masterplan to reflect this indicative requirement and provide a detailed layout, including green networks and greenspace. With regards to green space provision for earlier phases of the Westercraigs expansion area these have been addressed through a planning application (reference: 20/03555/MS) that related to the provision of paths, play areas and open space. Any deviation from this is an enforcement matter relating to that application and not any future proposal. The proposal will be required to provide an adequate level of green space in line with the HwLDP and Open Space in New Residential Development Supplementary

Guidance. With regards to an impact assessment on local wildlife, any required assessments will be provided as part of a future planning application, including Protected Species Surveys.

Alternative sites were considered at earlier stages of the Plan preparation process, the Council's settled view is presented in IMFpLDP.

Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Robertson Homes Ltd per BWP (1266646)

In the IMFpLDP2 the indicative housing capacity of INW01 is 90 (300 Total). Paragraph 32 of the Plan explains that the main capacity figure is the number of residential units expected to be completed within 10 years and for the larger sites there is a second, bracketed figure which is the expected total for the entirety of the allocation; i.e., also includes units expected to be completed beyond year 10 of the Plan period. Therefore, for INW01 90 homes were expected to be delivered within the first 10 years of the Plan and the remaining 210 thereafter.

It is appreciated that there are different housing capacities stated for wider development areas that included this site within the aIMFLDP and the TNDB. These housing capacities were indicative and were specified seven and nine years ago respectively. This represents a significant length of time. A number of developments have been permitted, built or are currently under construction in the wider area that previously included the site since that time. The number of homes permitted on these developments has helped to inform the most up to date capacity figure which is now specified for the site.

The methodology used to calculate the indicative site capacity excluded large swathes of the site that are considered to be undevelopable, for example the area illustrated to be utilised for green network, areas of steep slope and an area likely to be required for surface drainage infrastructure. The potentially developable area remaining was then multiplied by an appropriate density per hectare figure to reach the indicative capacity of 300 homes. Whilst this capacity is lower than that envisaged in the TNDB and the aIMFLDP, it is based on the most up to date information and the figure is described as indicative. Furthermore, as explained in Issue 3, Housing Requirements Schedule 4, there is a sufficient and effective housing land supply in the Inverness Housing Market area, and therefore no requirement to increase the capacity of the site for this reason.

The reasons the allocation was limited to 90 homes within the first 10 year period of the Plan took into account lead in times for consenting procedures and ground preparation works, the anticipated phasing of nearby sites with planning permission and/or under construction, and also past average completion rates in Inverness.

It is continued to be considered appropriate for the developer requirements to specify no development at the southern, steeper part of the site. The Council consider this represents the most appropriate location for green network on the site owing to its slope; opportunities for connections to existing green networks to the south and west; suitable location for green space, including equipped play areas and potentially additional sports facilities and to help provide an attractive setting for the Great Glen Way close to the site's southern boundary. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

INW04: West of St Valery Avenue

Joanne Provan (1310424)

This site lies within a wider area of green space to the west of St Valery Avenue. It is bounded to the north by a recent small scale, single storey affordable housing development, to the south is the remainder of the green space and to the west is a core path beyond which are mature trees and the Caledonian Canal. The open space is currently maintained as a grassed area. The site is owned by the Council and it is anticipated it would be developed for the purposes of affordable housing.

See Issue 8 GP4: Safeguarding Greenspace regarding the Council's general approach to the definition, identification and protection of greenspaces within all of the main settlements of the Plan area. The Greenspace Audit [*] is a point in time (summer 2022) assessment of existing spaces to check whether they merit direct policy protection from development. Spaces that meet the criteria have been classified as protected greenspaces. The Council has adopted a narrow, stringent definition of what should be protected to increase the chances of these spaces being protected in planning application decision making. So, spaces need to be accessible to most of the general public and offer an obvious amenity and/or recreational value to the general public to merit protection under this policy. Other spaces may be green (or blue) and may offer biodiversity, other natural heritage, indirect amenity or other benefits but are not accessible to and used by most of the general public. The Greenspace Audit assessed a wider area, including this site as protected greenspace.

Paragraph 74 of the IMFpLDP2 explains that despite recent high levels of affordable housing completions there has been little impact on the backlog of unmet housing need. It is therefore important that the Council continue to identify sites to help meet the affordable housing back log. A balance must be struck between the loss of greenspace and the delivery of additional affordable housing. Given the presence of a significant area of greenspace to the north of this site that has potential for improvement it was considered the loss of part of this greenspace for the purposes of affordable housing was acceptable. Mitigation against the loss of the greenspace is specified in the developer requirements for direct improvements or developer contribution to open space north of St Valery Park. A small area of greenspace will remain at this location and the distance to the large area of open space directly north is approximately 250m. Those who currently use the greenspace for recreation could use the remaining smaller area of greenspace or use the larger area approximately 250m to the north.

It is accepted that the development of housing will have some impact on the character of the area which despite being within the city has some rural type attributes due to its location close to greenspace, woodland and the canal. Nevertheless, the site represents an extension to an existing housing estate within an established urban area. Its developer requirements and compliance with HwLDP and IMFpLDP2 amenity and design and policies can ensure any future development is compatible with its location. The Council can ensure that the impact of construction noise is controlled under Section 60 of the Control of Pollution Act 1974. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

INW05: Westercraigs North

Lochardil and Drummond Community Council (1270300) and Alison Matheson (1323245)

This site forms part of the long established Westercraigs expansion area and planning permission for 79 homes on the site was permitted (references: 21/05309/FUL and 21/05305/MS) (subject to the successful conclusion of the legal agreement for

21/05309/FUL) in April 2022[*]. Impacts on wildlife were assessed as part of these applications, alongside impacts on existing trees. Whilst a limited number of trees are required to be felled to facilitate the proposals a compensatory planting scheme is proposed for elsewhere within the Masterplan area to mitigate their loss. Adequate greenspace is provided or will be provided as part of the wider Westercraigs development, including that proposed by application reference 20/03555/MS that related to the provision of paths, play areas and open space. Furthermore, the boundary of the application sites is significantly smaller than the allocation. The developer requirements specify no built development on the western, steeper parts of the site. This will help to maintain green networks and wildlife therefore helping to limit any impacts on climate change. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

INW07: Torvean Quarry

Katie Walter (1323046)

To help address the shortage of business and industrial land in Inverness the allocation at Torvean Quarry was extended to the north east in comparison to the aIMFLDP and uses also broadened to include community, business and industry uses [*]. It was considered that the quarry could provide a suitable location for industrial and business developments given its distance from residential properties, relative visual containment and existing access from the A82.

The site contains a network of paths that are used for recreational purposes and these must be retained as part of any future developments in line with HwLDP policies. Any amenity issues as a result of business and industrial development will be minimised though mitigation listed in developer requirements as well as HwLDP policies. It is therefore considered that use of the site for recreational purposes is compatible with its current use for recreation. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Lochardil and Drummond Community Council (1270300) and Alison Matheson (1323245)

It is accepted that the site is environmentally sensitive, it is located within the Torvean Landforms SSSI, adjacent to the Torvean Geological Conservation Review (GCR) site and contains significant areas of woodland, much of which is contained within the Ancient Woodland Inventory. Despite this, it is considered that with sufficient mitigation in place, in line with the sites developer requirements and required by the HwLDP, environmental impacts can be minimised.

The Loch Ness 'Area of Outstanding Tourist Development' shown on the Spatial Strategy is indicative. Given the relative visual containment of the site and its scale in comparison to the area shown on Spatial Strategy it is considered that the proposal would not impact the tourism potential of the wider area. A developer masterplan as stipulated in the developer requirements would assess which parts of the site were suitable for development. As outlined in the response to the representation the site contains a network of paths that are used for recreational purposes and these must be retained as part of any future developments in line with HwLDP policies. Any amenity issues as a result of business and industrial development will be minimised though mitigation listed in developer requirements as well as HwLDP policies. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

NatureScot (1266529)

NatureScot's response to the Main Issues Report [*] recommended that it would be

beneficial to have a Development Brief and/or Masterplan that provides clear guidance on the protected areas as well as other considerations such as landscape, placemaking, connectivity, biodiversity etc. and a developer requirement for proposals to demonstrate how they will ensure the objectives of the designation and the overall integrity of the SSSI will not be compromised and avoid damaging the GCR site. The developer requirements for the site in the IMFpLDP2 were drafted to reflect these recommendations.

The entire allocation lies within the Torvean Landforms SSSI but almost entirely outwith the Torvean GCR Site, with the exception of a minor overlap on a north west part of the allocation [*]. It is therefore considered unlikely that the proposal would result in any damage to the GCR. Furthermore, Policy 57 of the HwLDP gives protection to GCRs and any future application would require to be in accordance with this policy. Torvean quarry contains several large open areas interspersed by vegetation of varying maturity. Whilst most development would be restricted to the existing quarried areas to comply with the existing developer requirements and other HwLDP Policy safeguards it is accepted that the developer requirements restricting development to existing quarried areas of the site would help to ensure impacts on the SSSI are minimised. Accordingly, if the Reporter is so minded, the Council would be supportive of an additional developer requirement that restricts development to existing quarried area of the site to ensure no damage to the Torvean Geological Conservation Review site and are compatible with the management requirements of the Torvean Landforms SSSI, and in particular ensure the objectives of the designation and the overall integrity of the site will not be compromised.

INW08: Torvean North

Katie Walter (1323046)

The allocation at Torvean North reflects the adopted TNDB [*]. The TNDB was adopted in March 2013 but some Torvean elements, including this site, were updated in 2019 to reflect the latest development context and aspirations for the area. As illustrated in the TNDB a significant part of the western section of the site would be retained as open space and this is also reflected in the uses the site is allocated for in the IMFpLDP2. It is considered that the land uses for this site and the wider Torvean area strike a careful balance between the provision of public open space and path networks and realising economic and placemaking benefits as well as the need to identify suitable sites for new homes. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Kerstine Simleit 1310360

See response to Katie Walter representation above. In relation to school expansion, the IMFpLDP2 and TNDB both allow for a large portion of the site to be developed for a new primary school should this be required by the Council. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Scottish Environment Protection Agency (906306)

Now that SEPA has provided information on flooding records on the road adjacent the site it is accepted that the site may be at risk of flooding. Accordingly, if the Reporter is so minded, the Council would be supportive of the following additional developer requirement for the site 'Flood Risk Assessment (no development in the area shown to be at risk of flooding)'.

INW09: Torvean South

Katie Walter (1323046)

Similar to INW08 the allocation at Torvean South reflects the TNDB [*]. The TNDB was

adopted in March 2013 but some Torvean elements, including this site, were updated in 2019 to reflect the latest development context and aspirations for the area. As illustrated in the TNDB land adjacent to the west of the site has been retained as greenspace and has been landscaped to form a new city park. Housing on this site is limited to 10 one bedroomed homes to ensure that development does not create unacceptable car dependence. It is considered that the land uses for this site and the wider Torvean area strike a careful balance between the provision of public open space and path networks and realising economic and placemaking benefits. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Kerstine Simleit (1310360)

The site formed part of the former Torvean Golf Course prior to the redevelopment of the wider area. As explained in the response to the representation above the allocation at Torvean South reflects the adopted TNDB. The TNDB was adopted in March 2013 but some Torvean elements, including this site, were updated in 2019 to reflect the latest development context and aspirations for the area. The site was used as a building compound during the construction of the West Link Road and associated developments and comprises maintained grass with some mature trees. As such, the redevelopment of this part of Torvean was not intended to be solely for nature purposes.

Torvean Park lies adjacent to the west of the allocation. Since August 2021 it has been the venue for the Inverness 'Parkrun'. Parkrun is a collection of 5 kilometre events for walkers, runners and volunteers that take place every Saturday morning at locations throughout the world. It is understood the Inverness Parkrun is attended by at least 200 participants each week. The uses acceptable on the site are specified in the IMFpLDP2 as housing (limited to one bedroom homes), community, business, office, leisure and retail. It is not envisaged that the nature of these uses would result in any major land use conflict. Sufficient infrastructure is in place and will be put in place as part of future development to allow Parkrun to continue to take place. Therefore development in accordance with TNDB, alongside the specified developer requirements and the development management process will ensure the uses can be complementary to each other. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Lochardil and Drummond Community Council (1270300) and Alison Matheson (1323245)

The site does not lie within any landscape designations but is in a visible location south of the A82 on approach to Inverness from the west. The principle of development on the site has been established through previous local development plans and detail provided in the TNDB. It is intended to create a new gateway destination for visitors and locals to the city. The development guidelines in the TNDB require proposals to demonstrate exemplary standards of contemporary design that are sympathetic to the wider area.

The developer requirements for the site require safeguarding of the fabric, historic character and setting of the Caledonian Canal Scheduled Monument, protection of this feature is also underpinned by HwLDP Policy 57 and the TNDB provides detailed guidance that ensures its archaeological value is taken into account. The Torvean Landforms SSSI lies directly adjacent to the south western boundary of the site. Direct impacts to the SSSI are unlikely given there is no overlap in boundaries, however any potential impacts would be assessed as part of a planning application to ensure consistency with HwLDP Policy 57.

The site does form a key gateway to Inverness, rather than resulting in an adverse impact to this gateway the vision in the TNDB explains that land south of the A82 will be

transformed into a new gateway for visitors and locals in the city through a combination of Council and developer-led projects. Future development will welcome people to a new canal-side destination that provides places to meet and enjoy a park and sport and leisure uses. It will provide places for food and drink, retail and tourist opportunities, and will be woven together by a high quality public realm.

The Loch Ness 'Area of Outstanding Tourist Development' shown on the Spatial Strategy is large scale and indicative. Given the uses supported on the site and the vision for the site explained above it is envisaged that its development could form a key component for tourism development in this area. The TNDB includes reference to potential for parts of this site to accommodate visitor services including Scottish Canals and other recreation and sports facilities.

Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

INW14: Merkinch Shore

Merkinch Community Council (1324048)

The east side of this allocation leading to the Beaully Firth is known locally as Carnarc Point. A sign marked path leads from Kessock Road to Carnarc Point. The site is allocated for community use and it is envisaged any development would be small scale and of low intensity. Further information sought in terms of car parking, enclosure and storage would be determined during the development management process. Requirements to limit any impacts on mud flats and wildlife are stipulated in the developer requirements and would be explored in more detail during the development management process.

NatureScot (1266529)

Note that NatureScot welcome the developer requirement for a Recreational Access Management Plan (RAMP). The Council agrees that further detailed developer requirements relating to RAMP content are included in the Plan as they provide additional clarification for developers to ensure there is no adverse effect on the integrity of the specified European Sites. Accordingly, if the Reporter is so minded, the Council would be supportive of the developer requirements relating to the RAMP being amended to read: 'Recreational Access Management Plan including consideration of water based activities, must ensure disturbance to the Moray Firth SAC bottlenose dolphin interests and the bird interests of the Moray Firth SPA are avoided, must include satisfactory provision and/or contribution towards open space, path and green network requirements, including mitigation associated with the Inverness to Nairn Coastal Trail, adherence to the Scottish Marine Wildlife Code and the WiSE scheme to help avoid, for example rafts of birds on the water surface...'

Port of Inverness per G&S (1220786)

Given the further clarification provided by the respondent on their intentions for the site, in that any development would be small scale and low intensity, it is agreed that a number of the developer requirements listed are overly onerous and may be irrelevant to any proposal consistent with the allocation and its uses. A response to each request for specific developer requirements to be deleted is provided in the paragraphs below.

It is recommended that the requirement for 'public sewer connection and comprehensive sustainable urban drainage system to deal with surface water run-off to avoid sedimentation and pollution reaching the Firth and River Moriston' is retained. Whilst it is agreed that the need for any connection will be dependent on the nature and scale of any

community use proposal brought forward this requirement is a basic and effective infrastructure requirement that is stipulated for most allocations in the IMFpLDP2 that may have an impact on any European Site.

For the developer requirement relating to 'satisfactory submission of a Construction Environmental Management Plan and Operational Environmental Management Plan' if the Reporter is so minded, the Council would be supportive of the text relating to 'piling, dredging and disposal sourcing of materials for land raising/reclamation, hydro-dynamic assessment of impacts of altered flows on sediment movement in relation to sub-tidal sandbanks' is removed because it is agreed that the limits of the allocation, in terms of its use and boundary, would not support any land reclamation, piling or dredging works. It is recommended that the 'satisfactory submission of a Construction Environmental Management Plan and Operational Environmental Management Plan both including prevention of sedimentation, pollution and disturbance, maintaining water quality and flow and controlling disturbance' is retained.

It is recommended the developer requirement relating to a Noise and Vibration Mitigation Plan (including construction and operational phases and disturbance effects) is retained given the limited detail provided on the intentions of the allocation from the respondent and any need for small scale built development associated with the proposal. It is also recommended the developer requirement relating to a Boat Traffic Management Plan is retained given the proposal is for water-based activities and there is no certainly at this stage whether the proposal would involve boats. Clearly if any future proposal did not involve boats then this requirement would not require to be fulfilled.

If the Reporter is so minded, the Council would be supportive of the following developer requirements being deleted given the nature of the allocation and its boundary limited to mean low water springs: Oil Spill Contingency Plan, Hydro-Dynamic study to assess the impact of altered flows on sediment movements in the firth in relation to subtidal sandbanks, full compliance with appropriate regulatory frameworks for ballast water discharge, dredging and disposal and ship-to-ship transfers including Marine Scotland dredging and disposal guidance (both for capital and maintenance spoil) and JNCC piling guidance'.

Scottish Environment Protection Agency (906306)

It is agreed that the developer requirement relating to land reclamation should be deleted given the shape of the allocation and its intended community use. Therefore consistent with the Council's response to the Port of Inverness representation above, if the Reporter is so minded, the Council would be supportive of the reference to land reclamation being deleted from the developer requirements alongside the other developer requirements listed in the response above.

Reporter's conclusions:

Reporter's recommendations:

Issue 35	South Inverness	
Development plan reference:	Section 4 Places, South Inverness, PDF Pages 195-214	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
<p> Abrdn per Phil Pritchett (1312484) Agata Kowalczyk (1323257) Aileen Gardner (1312542) Alan Johnstone (1323496) Alan MacKenzie (1312429) Alan Ogilvie (1270211) Alison Matheson (1323245) Alistair Macleod (1323239) Andrew Lindley (1310224) Andrew Martin (1323242) Angela Cran (1323029) Angela Hanning (1323275) Angela Ogilvie (1312259) Ann Johnston (1323334) Ariane Burgess (1323240) Aureen Hardie (1248087) Ballifeary Community Council (1312380) Bernadette Church (1312403) Brian Grant per G&S (1221029) Brian Mackay (1312392) Calum Ogilvie (1312239) Caroline Phillips (1261275) Cassie Hogg (1312198) Catherine Mackenzie (1323400) Christie Family (1323458) Christine Browne (1312225) Colin McLean (1312537) David Finlayson (1249118) Denise Stewart-Thomson (1323268) Derek Hardie (1261798) Des Kelly (1323251) Donald Begg (1312031) Donna Brown (1312529) Dorothy France (1323390) Dorothy Getliffe (1270774) DW Peterson (1268257) E. Ross (1323485) Eilidh Mackinnon (1312240) Elaine Miller (1312234) Elaine Mudie (1323349) Elaine Webster (1323346) Equorium Property per John Handley (1312478) </p>		

Erin Christie (1312545)
Ewan Gunn (1261892)
Feona Wyllie (1269640)
Fiona Ednie (1312244)
Fiona Stuart (1323437)
Frances Loch (1323241)
Francois Douaud (1310275)
Fraser Morrison (1323342)
Frazer Mackenzie (1312396)
Freda Newton per GHJ (1220548)
Gail Kennedy (1323335)
George Dickson (1323333)
Gillian Kirby (1312422)
Graeme MacDonald (1312521)
Hannah Sweeney (1323457)
Heather Henderson (1323274)
Highland Astronomical Society (963272)
Highland Housing Alliance & Hazeldene per Turley (1323057)
Highland Housing Hub (1154846)
I&G MacDonald per Thomas Luke (1312416)
Iain MacKay (1323054)
Inshes Community Association (1260543)
Jacquie Laird (1269758)
James Shewan (1312423)
Janet Baraclough (1323246)
Jean Thompson (1323381)
Jean-Paul Kowaliski (1310382)
Jennifer Fraser (1324335)
Joan McEwen (952586)
Joanne MacCulloch (1323345)
John Macrae (1267017)
John McKimmie (1323373)
Jonathan Wordsworth (1323248)
Julie Fraser (1312492)
Karyne Walker (1323344)
Kate Macdonald (1268991)
Kathleen Black (1312432)
Katie Walter (1323046)
Kay Kelly (1323244)
Kay MacDonald (1271832)
Keith Bousfield (1312201)
Kirkwood Homes & Fairways Inverness Limited per EMAC Planning (1312501)
Knocknagael Allotments Association and Knocknagael Ltd (1221030)
Laura Keel (1312275)
Laura Nicolson (1323261)
Lidl per KHP (1312411)
Lindsay Donaldson (1323341)
Lochardil & Drummond Community Council (1270300)
Louise Morris (1310440)
M E Peterson (1262526)
Manda Construction per GHJ (1270977)
Margaret Mulholland (1323253)

Mark Astley-Jones (1261256)
 Mark Robertson (1247997)
 Marya Meighan (1323249)
 Mhairi MacDonald (1323348)
 Michael Newcomen (1263799)
 Michelle Breau (1323479)
 Morag McLean (1312535)
 Myra Gillon (1323252)
 Neil Morris (1323035)
 Neil Sharpe (1312471)
 Ness Valley Leisure per Pegasus Group (1218859)
 Paddy McGarrigle (1312348)
 Peter & Hilary Prall (1323336)
 Rachel Desmond (1271418)
 Richard Cole-Hamilton (1271499)
 Richard Desmond (1268629)
 Rob Polson (1323126)
 Robert & Marjory Peckham (1260407)
 Ross Davidson (1271956)
 Samuel Catley (1323238)
 Sarah Desmond (1271421)
 Sarah Rollo (1312246)
 SEPA (906306)
 Sharon Green (1323276)
 Stephanie Cowie (1324320)
 Stephanie Logan (1323271)
 Stephen Loch (1323340)
 Stuart MacKinnon (1267732)
 Susan Coyne (1323219)
 Tesco per Pritchett (1312483)
 The Cardrona Charitable Trust per GHJ (1312294)
 Trish MacDonald (1323398)
 Tulloch Homes per Suller Clark (1218219)
 William Allan Middleton (1323269)
 William Fraser (1312273)
 William Gillespie (1323393)
 Winifred MacDonald (1323376)

Provision of the development plan to which the issue relates:

Placemaking Priorities 19, Settlement Map 23 South Inverness, Development Sites, PDF paragraph 181-185

Planning authority's summary of the representation(s):

Placemaking Priorities

Alison Matheson (1323245)

Concerned about scale of growth planned for South Inverness because: planning permission densities and unit numbers often exceed indicative capacities in the development plan; there is no secondary school capacity for new housing; and, potential loss of greenspaces (listed and described) which are vital to the health and quality of life of residents, provide spaces for children and young people, areas for recreation, habitat for wildlife, and which include red squirrel, badgers, deer and birdlife. Seeks designation and

creation of strategic areas for cycling and recreation near the canal and Torvean Quarry as key green infrastructure making use of the fact that the area is used for cycling/ walking running because this would benefit younger people. Reports that Knockageal Ltd is preparing an Asset Transfer Request to develop a community-growing project including allotments, an orchard, areas for walking and wildlife and community growing areas.

Brian Mackay (1312392)

Seeks protection of South Inverness greenspaces particularly Fairways Golf Course because: recent and likely future development will erode the amount of greenspace; leisure space is required for residents and visitors; their loss is irreversible; and, importance to mental health.

Derek Hardie (1261798)

Seeks protection of South Inverness greenspaces particularly Fairways Golf Course because: recent and likely future development will erode the amount of greenspace; recreational space is required for residents; the transport and utilities network in this area are already stretched; and, there are sufficient areas allocated for housing in the plan (location undefined).

Donald Begg (1312031)

Seeks significant reduction in scale of development or prior improvement to infrastructure capacity particularly road capacity and secondary school capacity.

Ewan Gunn (1261892)

Seeks protection of South Inverness greenspaces particularly Fairways Golf Course because: recent and likely future development will erode the amount of greenspace; leisure space is required for residents and visitors; their loss is irreversible; and, there are sufficient alternative sites identified within the Plan for affordable housing.

Frazer Mackenzie (1312396)

Seeks protection of South Inverness greenspaces particularly Fairways Golf Course because: recent and likely future development will erode the amount of greenspace; recreational space is required for residents; the transport and utilities network in this area are already stretched; and, there are sufficient areas allocated for housing in the plan (location undefined).

John Macrae (1267017)

Seeks protection of South Inverness greenspaces particularly Fairways Golf Course because: potential loss of woodland and its habitat value for badgers, roe deer and avian species including protected raptors; leisure assets for physical and mental health; importance to rural character of the City; of excessive recent housing development; inadequate transport infrastructure; and, increase in car dependency and emissions; increased flooding risk in an area already adversely affected by inadequate drainage and excessive water run-off.

Kirkwood Homes & Fairways Inverness Limited per EMAC Planning (1312501)

Object to non-inclusion of residential expansion area at Fairways and its notation as protected greenspace because: site would comply with NPF4's 20 minute neighbourhood concept; the Council's Greenspace Audit 2021 lacks consideration of Fairways as 50% managed greenspace rather than 100% underused greenspace; the Council's environmental assessment shows many positive scores for development of the site stating that "with the appropriate level of detailed design to facilitate active travel as the dominant

transport mode for the site, there is potential for this site, or part of it, to facilitate a sustainable city expansion”;

Laura Keel (1312275)

Queries whether 1,200 homes Tulloch Homes proposal at Welltown of Leys is supported by Plan or not.

Lidl per KHP (1312411)

Suggests 2nd bullet is poorly drafted and unclear. Seeks Plan amendment to clarify that additional commercial facilities within existing residential areas will promote sustainable travel.

Lochardil & Drummond Community Council (1270300)

Seeks clearer priority to calm traffic speed, reduce car use, increase active travel and safe routes to walk and cycle to school and town (map supplied of ideas [*]).

Mark Robertson (1247997)

Seeks protection of South Inverness greenspaces particularly Fairways Golf Course because: it is much needed and critical to community well being and the fabric of the City as a whole.

Rachel Desmond (1271418)

Opposes loss of any greenspaces because only serves short term gain to builders and loss irreversible.

Richard Cole-Hamilton (1271499)

Objects to any active travel link via Culcabock Avenue because: of residents opposition; the Avenue isn't safe for active travel being a small lane with one narrow pavement (0.8m wide in places) and the latter is blocked with bins; the lane itself is single track and blocked whenever a vehicle approaches; side walls are frequently damaged by lorries; the single track road already has to be shared by pedestrians, prams, bikes, cars and lorries going in two directions; of previous anti-social behaviour mainly by Millburn Academy pupils; of impact on Culcabock Golf Course which is used as a short cut to the Academy; Culcabock is a historic village; potential increase in active travellers and therefore in disturbance to local residents; and, adverse mental health impacts on residents.

Richard Desmond (1268629)

Supports (no reasons stated).

Sarah Desmond (1271421)

Objects to development on greenspace in South Inverness because: Council has stated it wants to increase accessible greenspace; development will turn the area into a concrete jungle; and, there is inadequate infrastructure (dental care, health care and roads).

Tulloch Homes per Suller Clark (1218219)

Objects to non-inclusion as a residential expansion area of land at Druid Temple/Welltown because: Tulloch are an experienced local developer; the site is effective and deliverable; the Plan's housing target is an underestimate and the supply of effective sites to meet the target is insufficient; detailed assessments and indicative framework designs have been undertaken by the respondent [*]; of insufficient Council consideration of respondent's previous submissions; respondent is committed to including land for community facilities,

including a site for a primary school; site would be a natural, logical and sustainable extension to the existing Milton of Leys community which is currently ongoing, with the majority of development now complete; adequate service connections border the site; the site will not burden the city's existing infrastructure; it could deliver plentiful, early affordable housing units; site could deliver increased publicly available open space; opportunity to create new habitats and add to the area's biodiversity; improved public transport connectivity could be encouraged via a loop road from Milton of Leys; existing pedestrian/cycle networks will be utilised and improved, improving connectivity to a more sustainable mode; the provision of community facilities will ensure the creation of a new 20-minute neighbourhood, which together with a new primary school, will sit at the heart of that community; the additional retail/commercial space could include work from home units, small start-up business units, or commercial uses; the site is clearly within the City which is a Tier 1 settlement; employment uses will provide job opportunities close at hand reducing the need to travel to work; the site and layout can comply with Scottish Government and Council placemaking principles; the site can enhance access to the surrounding countryside; and, a pre-application proposal has been lodged and public consultation undertaken which has influenced the nature of the respondent's proposals. Reiterate case made at Main Issues Report stage and through pre-application process [*].

Settlement Map

Aureen Hardie (1248087), David Finlayson (1249118), DW Peterson (1268257), E. Ross (1323485), John Macrae (1267017), Kate Macdonald (1268991), M E Peterson (1262526), Mark Astley-Jones (1261256), Michael Newcomen (1263799), Richard Desmond (1268629), Robert & Marjory Peckham (1260407), Stuart MacKinnon (1267732)

The above parties object to the principle of any development on Fairways Golf Course for one or more of the following reasons: majority of Slackbuie residents support the retention of the area as accessible greenspace; the Council don't support development on the land within the Plan and non-preferred it for development at MIR stage; greenspace is well used for all forms of recreation and important to good quality of life and mental health; recent development has encroached on existing greenspaces; increase in traffic congestion on Sir Walter Scott Distributor Road; existing inadequate primary and secondary school capacity which will only be worsened; developer has only offered a site for a new primary school not its full build cost and the balance of funding isn't available within the Council's budget; housing won't meet local need because 49% of new builds are bought by people moving in to the area and usually at prices locals cannot afford; Council's solution to secondary school capacity is on the east side of the City not this south side; flood risk has been underestimated particularly to properties on Old Edinburgh Road South; potential loss of woodland despite the recent TPO and knock-on emissions impacts; adverse impact on existing core path network (loss of open views and potential diversions); path marker posts haven't been maintained and the former signpost by the Ault-na-skiach has been removed; loss of a green wedge between dense housing developments that therefore provides accessible greenspace; having local greenspace reduces car journeys and emissions to more distant ones; loss of trees that provide amenity and improve air quality; previous assurances by previous owner/builder that golf course would be kept; loss of "green belt"; increase in impermeable surfaces will increase flood risk; developer's indicative layout doesn't include adequate public open space and the retained golf holes are not public open space; proposed roundabout on distributor road is too close to the existing Wade Roundabout; the development will worsen traffic congestion at Inshes Roundabout which is already over capacity; the new primary school will generate even more traffic and congestion; property depreciation because of proximity of other houses and loss of "greenfield" views; loss of winter sledging area; the greenspace is used by the whole City; climate change importance of protecting

greenspaces; potential loss of high biodiversity value of wooded burnsidings; of opportunity foregone of woodland walks, picnic tables, fishing pond, and be a place which would provide learning (school) trips for children (and adults) to connect with nature and learn things such as orienteering, exploring natural habitats, and learning about nature conservation and wildlife photography; Inverness shouldn't become like every other city; greater air pollution; increased congestion which will add time and cost to business journeys; SPP promotes the protection, enhancement and promotion of green infrastructure; the land is not allocated in the adopted local development plan; Policy 75 of the HwLDP safeguards open space from development; loss of this greenspace will set a very dangerous precedent for the loss of other City greenspaces; loss of / disturbance to species some of which are protected; lack of local health service capacity; the recently redeveloped Inverness Royal Academy is already at full capacity; and, existing flood attenuation devices are failing.

Equorium Property per John Handley (1312478)

Objects to non-inclusion of Holm Mills as a protected commercial centre in the Plan's retail hierarchy because: it is allocated for mixed use development within the Plan, the aIMFLDP and related development brief; it is part of the City's established retail centre hierarchy and is a tourist destination; the respondent as owner is committed to retaining and expanding the tourism and retail offer at the site and to safeguarding existing and providing new jobs; this site is 1 of a national chain of 20 similar centres; SPP (paragraphs 61 to 63) requires the identification and safeguarding of centres such as this one; it accommodates a diverse range of uses and retail goods including James Pringle Weavers, the Highland Life Weaving Exhibition and the Ghillies Restaurant; and, it is a dedicated stop on the Inverness City Sightseeing Tour Bus Route and visited by private coach tours and has a strategic draw as a tourist destination.

Highland Astronomical Society (963272)

Believes that greenspace is vitally important for the City as a whole and the mental health of the people who live in it. Inverness is growing at an alarming rate so green areas are extremely important and welcomes safeguarding of so many on the map.

Highland Housing Alliance and Hazeldene both per Turley (1323057)

Objects to non-inclusion of 25.2 hectares of land for a residential (400 units) led mixed use expansion area at Milton of Leys South and its inclusion within the City SDA because: there is a joint landowner / affordable housing provider agreement; housing land requirement and effective housing supply both underestimated; affordable housing land supply severely underestimated and this makes up 75% of the target; Housing Land Audit out of date and should have been published before Proposed Plan; at least 50% of site capacity will be delivered by HHA as 'affordable' dwellings; most affordable housing need in Inverness City; the site is relatively flat and well drained; the site is close to the boundary of the Milton of Leys residential area and its neighbourhood centre which includes a primary and soon a nursery school; the site would function as part of a 20 minute neighbourhood; it's close to a high capacity trunk road junction for longer car trips; an off-road cycle path connects the site with higher order facilities at Inshes; further sustainable transport measures will be incorporated into the proposal; there are two bus stops within 400 metres of the site providing bus access to Inverness and others will be added; the site has good core path connectivity and these will be maintained as far as possible; existing attractive mature woodland will be retained and add amenity; assessments have proven no flood risk or contamination; the land has strong, defensible boundaries in the form of the A9 to the east and Daviot Wood to the south making the site a natural southern limit of the City; proximity to the A9 can be resolved by setback and

planting; HHA have a strong track record in delivering units in the Inverness area; there are currently over 1,000 people on the local waiting list caused in part by a reduction in available privately rented stock and applications for recent development have been very high; many Plan allocated sites are unsuitable, complex to deliver and/or already optioned to a private housebuilder; Registered Social Landlords (RSLs) are dependent on private housebuilders to get 25% of their sites and these take time to reach their later phases; RSLs are normally forced to take on sites that are not commercially viable like brownfield and/or contaminated sites; the site meets the effectiveness criteria in Planning Advice Note 2/2010; a Transport Assessment will be undertaken to ensure that the site will provide sustainable transport measures; an archaeological desk-based assessment has been undertaken which identifies that much of the site has previously been subject to previous archaeological evaluations and a programme of archaeological investigation works would be agreed with the council and detailed in a Written Scheme of Investigation (WSI); the archaeological assessment concludes that the development would have a minor impact on the integrity of the hut circle's setting, and a negligible impact on the integrity of the hotel and farmhouse's setting, and the proposals would not adversely affect the cultural significance of the Bogbain Wood hut circle and field system, the Drumossie Hotel, or Bogbain Farmhouse; the site sits well in the landscape and its planted framework; the site is free of any physical infrastructure constraints; discussions will be held with Transport Scotland regarding any improvements / modifications required in relation to the A9 off slip; Hazledene and HHA are committed to working closely with Highland Council to establish education requirements in the Milton of Leys area; the new nursery school will provide sufficient additional "freed-up" primary school capacity for the development and a planning obligation to address additional capacity at Millburn Academy; the site is accessible to all sustainable travel modes; an indicative and suitable layout has been prepared [*]; the site will be mixed use including a commercial element which could include co-working spaces, light industrial units or other employment generating uses; additional play spaces will be provided within the residential blocks to provide natural surveillance and a welcoming, inclusive neighbourhood; roads will also be designed with low vehicle speeds to allow cyclists to feel safe sharing the space with motorised traffic; green and blue infrastructure on site will provide potential for biodiversity to be enhanced; new flexible employment space and / or employment generating uses could provide local job opportunities in south Inverness, enable residents to live and work locally and providing opportunity for local business expansion and investment; the housing land requirement for the market sector is far below past private completions; the housing land requirement shouldn't be constrained by the HNDA which does not include policy considerations; many other Inverness City sites are not effective within the Plan period e.g. those at East Inverness which are East Link dependent and at INE07: Milton of Culloden South where one of the owners is reluctant to sell, and Tornagrain build rate assumptions don't match past completion rates; the 30% windfall allowance is too high because the Plan's SDAs have been drawn more tightly than within the aIMFLDP; the Plan's proposed increased 35% quota won't meet the high unmet need in Inverness; the site is allocated in the aIMFLDP for business use and is within the Inverness SDA; and, there is a lack of demand for business units and the Plan recognises the site is not viable for such a use by its non-allocation; and, the site is at least equal to, or more sustainable, than other allocated sites.

Highland Housing Hub (1154846)

Objects to the non-inclusion of site IN69 in the aIMFLDP for housing because it's: located within walking distance to facilities, including retail units and a primary school; relatively level, with direct access to adjacent roads infrastructure, which accommodates a bus route to Inverness City Centre and increasing the frequency of the bus service would provide

good connections for sustainable transport; capable of providing a mix of development with business/commercial and predominantly housing development; mitigation from noise from the A9(T) could be addressed through the development of a masterplan and inclusion of a setback; delivery of business and commercial opportunities would be developed in association with Highlands and Islands Enterprise; and, land can be transferred to community use/ownership, giving scope for development for community uses and development of recreational greenspace.

Jacquie Laird (1269758)

Objects to several Inverness South sites but particularly INS12, INS13 and INS18 because: loss of good farmland and community food growing opportunity at a time of food poverty; there is already too much housing planned for the area, and this will negatively affect infrastructure locally with an impact on roads which are already dangerous for active travel use; increased flooding risks from house building and lack of safety of the flood alleviation scheme; reduction in mental health of local residents; adverse visual impact of modern houses; inadequate school capacity; and, developers (potentially) blocking existing paths.

Kirkwood Homes & Fairways Inverness Limited per EMAC Planning (1312501)

Objects to the non-inclusion of site IN63 of MIR for 800 houses, primary school, community campus, office, retail, 9 hole golf course and greenspace because: it complies with the 20 minute neighbourhood concept within Draft NPF4; it isn't public open space; the proposal could create 50% managed greenspace rather than 100% underused greenspace; the site scores well against most SEA criteria; and, the Council admits that the site is well placed to offer good sustainable mode connectivity.

Lochardil & Drummond Community Council (1270300)

Concerned about scale of Plan supported housing expansion for South Inverness because site densities higher than in aIMFLDP and lack of education facility capacity particularly secondary. Seeks protection of specific greenspaces at: MacDonald Park (where community improvements have been made); the green lawn adjacent to the Lochardil Pharmacy (regularly used by the school children and providing an open space for residents); Lochardil Woods, Culduthel Community Woods and the grass linking the two woods (core area used by residents, dog walkers, school and pupils); Aultnaskiach Community Woods, wetland area with natural vegetation at the end of West Heather Road (flood relief area, and is important for wildlife); Scheduled Monument adjacent to Slackbuie Avenue;

Culduthel Park (core area used by residents, dog walkers, school and pupils); Green fields adjacent to the Gaelic School (protected as public park under a section 75 Agreement). Also reports that Knockageal Ltd has submitted an Asset Transfer Request to develop a community-growing project including allotments, an orchard, areas for walking and wildlife and community growing areas.

Manda Construction per GHJ (1270977)

Objects to the non-inclusion as a mixed use development allocation of land south east of West Heather Road because: it has planning permission for an office development; of arguments made at MIR stage (resubmitted as [*]; and, of recent developer enquiries about the partial or whole development of the land for residential purposes. Also objects to the non-inclusion as a 10 unit housing allocation of land west of Culduthel Place (identified as IN26 in MIR) because: community's concerns about about flood risk, impacts on biodiversity, impact upon residential amenity and road safety overstated; most of the site is in the respondent's ownership not the community's; there is a ransom-free access to the

site from both Culduthel Place and Culduthel Road; the respondent could leave a portion of the site as public open space especially the wooded area, any areas that might be at risk from flooding and the maintenance of green corridors; the site is visually self contained and within an established residential area, close to public transport, schools and community facilities; the proposal is an infill development; and, flood risk has been eliminated by the South West Flood Relief Channel and any issue can be achieved by a development setback.

Tulloch Homes per Suller Clark (1218219)

Objects to non-inclusion as a residential expansion area of land at Druid Temple/Welltown (same reasons as Placemaking Priorities section above).

INS01: Drakies House

Feona Wyllie (1269640)

Objects because the creation of another access onto the already congested Old Perth Road would be detrimental and any proposal to install a series of traffic lights along this road would hamper the flow of traffic which is appalling at peak travel times and will have negative knock-on effects at Inshes roundabout. Suggests an alternative road access away from Old Perth Road but really no further development in this area until a demonstrable difference has been made to the flow of traffic on the Inshes Roundabout and all the roads that feed into this.

Gillian Kirby (1312422)

Objects (no reasons stated).

Jennifer Fraser (1324335)

Objects to any active travel link between Drakies housing estate and Culcabock Avenue because: there has been no through link for 20 years; of anti- social behaviour including vandalism, trespassing, dog fouling, steading set on fire, litter and general abuse; Culcabock Avenue is unsuitable because it has a narrow pavement on one side and you can only walk single file; there is a turning area at the top of the Avenue, so from a safety point of view, school children (as this would be their shortest route to Millburn) would be walking on the road, passing the turning area; pedestrians won't hear electric vehicles approaching; of lack of public consultation; and, a better alternative exists along Drakies Avenue which is a 20mph zone.

Joan McEwen (952586)

Objects because of a considerable (one third) increase in housing capacity and drainage and other infrastructure requirements are unspecified.

John McKimmie (1323373)

Objects because: the developer's drainage design doesn't fully comply with Sewers for Scotland requirements which will raise adoption and maintenance issues and existing foul drainage systems have suffered blockages; the proposed active travel (AT) connection will compromise pedestrian safety, residential amenity, privacy and historic character; Culcabock Avenue is substandard as a road and AT link; AT users will conflict with golfers on Culcabock Golf Course; and, a better AT route is available through INS01 (through Drakies House curtilage) all in the single ownership of the housebuilder.

Richard Cole-Hamilton (1271499)

Objects as Culcabock Avenue is unsuitable as a route for active travel. If an ATR is deemed necessary then this should be routed from Thistle Road to Old Perth Road within

the curtilage of the land highlighted in INS01. There should be no connections between the site INS01 and Culcabock Avenue. Believes active travel linkages between Thistle Road and Old Perth Road should be exclusively contained within the curtilage of INS01.

INS02: Inshes Small Holdings

Joan McEwen (952586)

Objects because flood mitigation requirements should be added, the housing capacity has been increased by a third, and further infrastructure requirements need to be overtly detailed in the Plan.

INS03 Dell of Inshes

Abrdn per Phil Pritchett (1312484)

Objects because: the Plan's provisions contradict those within the adopted development brief for the land and adopted HwLDP both of which form the approved development plan for the site; they also contradict an extant planning permission for the site; there is no evidence to justify the change; this is the only site on which to expand the district centre; and, the developer requirement reference to Inverness East is irrelevant because the site is outwith the Inverness East Development Brief area.

Alistair Macleod (1323239)

Objects as neighbour because: excessive housing density (20 not 14 or 15 per acre) relative to adjoining densities; taller flatted properties will overlook and harm privacy; of loss of existing trees on retail park access road; tree loss contrary to various Council policies; and, of the increase in noise pollution from vehicles and anti-social behaviour.

Joan McEwen (952586)

Objects because of flood risk. Developer requirements should insist on no culverting of watercourses and a flood scheme because the area has a history of flood events within the Dell and Inshes burn catchments and the Council had a previous flood scheme for the Dell Burn.

INS04: Druid Temple

Donald Begg (1312031)

Objects because of negative impact on General Wades Road which is a vital green network for local residents going into Daviot Woods and runs counter to the Plan's strategy.

INS06: Milton of Leys Care Home

SEPA (906306)

Recommends that requirements for alternative proposals are outlined, as is the case for most other allocations which already have an extant consent.

INS08: Earls Gate

Feona Wyllie (1269640)

Objects because of: increased traffic on already congested Sir Walter Scott Drive and then Inshes Roundabout; loss of greenspace (important to physical and mental health), biodiversity, wildlife; increased air pollution; loss of flood storage; and, loss of green corridor. Seeks no further development in South Inverness until a demonstrable difference has been made to the flow of traffic on the Inshes Roundabout and all the roads that feed into this.

INS09: Drummond Hill

Alison Matheson (1323245)

Objects because permitted capacity is higher than indicated.

Lochardil & Drummond Community Council (1270300)

Objects because permitted capacity is higher than indicated.

SEPA (906306)

Recommends that requirements for alternative proposals are outlined, as is the case for most other allocations which already have an extant consent.

INS10: Ness-side Central

Tesco per Pritchett (1312483)

Objects to non-identification in Plan of Dores Road commercial area as a protected district/local centre because: it is identified as such in the aIMFLDP; it is partially completed; it is an integral part of the hierarchy of centres in Inverness; it is central to an expanding, zoned, residential expansion area.

The Cardrona Charitable Trust per GHJ (1312294)

Queries allocation boundary in that it shouldn't include the Holm Burn and its associated woodland, long built development such as the Tesco Ness-side store and the proposed new church on land to its north shouldn't be part of a housing allocation.

INS11: Holm Burn Place

Tulloch Homes per Suller Clark (1218219)

Supports allocation for housing development because it: will add housing choice in Inverness; is close to facilities and public transport networks; site constraints can be mitigated at planning application stage; and, Tulloch remain committed to delivering the site in a timely manner and believe it fully effective and deliverable.

INS12: Ness Castle West

Lindsay Donaldson (1323341)

Objects because: loss of woodland and the habitat it provides to protected and other species; development should be kept to the tree line; this space has recently been used for part of the Loch Ness 24 Mountain Biking race which brought tourism to the area; of regular recreational use by mountain bikers, trail runners, dog walkers, or just for woodland walks all of which must have a positive impact on mental health; and, of the lack of infrastructure already at the Ness Castle site considering the number of people who live there.

INS14: Ness-side South

Ness Valley Leisure per Pegasus Group (1218859)

Supports INS14 and INS19 as landowner but seeks clarifications. On INS14, a key element of the housing proposals on the site is for a retirement village and this should be referenced in the Plan. On INS19, clarifies that aim to deliver a residential care home, nursery, retirement village and homes and the site is deliverable within the next 5 years.

The Cardrona Charitable Trust per GHJ (1312294)

Comments that allocation in accordance with previous submissions made by client.

INS15: Sir Walter Scott Drive

Aileen Gardner (1312542), Alan Johnstone (1323496), Alan Ogilvie (1270211), Angela Hanning (1323275), Angela Ogilvie (1312259),

Ann Johnston (1323334), Calum Ogilvie (1312239), Cassie Hogg (1312198), Christine Browne (1312225), Dorothy France (1323390), Eilidh Mackinnon (1312240), Elaine Miller (1312234), Elaine Mudie (1323349), Elaine Webster (1323346), Feona Wyllie (1269640), Fiona Ednie (1312244), Fiona Stuart (1323437), Frances Loch (1323241), Gail Kennedy (1323335), George Dickson (1323333), Gillian Kirby (1312422), Hannah Sweeney (1323457), Iain MacKay (1323054), Karyne Walker (1323344), Keith Bousfield (1312201), Marya Meighan (1323249), Mhairi MacDonald (1323348), Michelle Breau (1323479), Myra Gillon (1323252), Rob Polson (1323126), Sarah Rollo (1312246), Stephanie Cowie (1324320), Stephanie Logan (1323271), Stephen Loch (1323340), Trish MacDonald (1323398), William Fraser (1312273), Winifred MacDonald (1323376)

The above parties object to the allocation for one or more of the following reasons: the aIMFLDP allocates the land for business (Police Scotland expansion) not housing purposes with road access from the Police Scotland site; the section of Sir Walter Scott Drive between Inshes and Eagle roundabouts is an already congested part of the local transport network; the connecting road will obliterate the well used, equipped play area; no compensatory greenspace provision for that lost to the access road; the access road will reduce the safety of users of the remaining park; the costs of all the developer requirements and the length of access road will make it unviable; of precedent for development of intervening land; loss of noise and air pollution buffer to heavily trafficked distributor road; of the existence of a legal agreement that precludes commercial development on the park land which was gifted solely for that purpose or if breached financial compensation payable to the original owner which will reduce the site's viability; of community led consultation on and improvements to this buffer area for a kick pitch, equipped play area, wildflower meadow and an active travel link to the Distributor Road crossing point south of the Eagle roundabout; contrary to Council policies that protect greenspaces which safeguard publicly accessible greenspace; adequate, allocated housing sites identified in the Plan; inadequate primary and particularly secondary school capacity to service additional housing; additional housing will increase traffic congestion at Drakies Primary and Nursery Schools further compromising the safety and amenity of residents living close to the school; local active travel and public transport connectivity is poor, ineffective and very difficult to improve; increased traffic congestion will make emergency vehicle response times even worse; fears that a road access direct from Drakies housing estate could be proposed by the developer of the site (causing increased congestion, road safety and pollution within the estate); importance of local accessible playspace for reducing childhood obesity; the park is used by the local primary school for sponsored and nature walks; no need for more housing or retail development as adequate alternatives in Plan; land always envisaged as a noise/amenity buffer between distributor road and existing Drakies neighbourhood; a new bund would have to be created removing even more useable greenspace; importance of accessible greenspace for physical and mental health; if needed road access could be taken direct from the distributor road as a T junction leaving the park area untouched or via the police site; the existing play area and park is close and safe enough to allow unsupervised play be older children and to allow the elderly a short walk and this would be lost; new footpaths would have to be created which will further reduce the amount of greenspace; of property depreciation; of loss of privacy; loss of permeable surface to attenuate flood waters (Drakies has a long history of flood events particularly with the watercourse between Drakies and the allocation); of increase in noise and air pollution; dense cities need pockets of accessible greenspace; loss of sunlighting; relocation of the play area closer to the Drakies houses will cause noise and disturbance issues; inadequate medical facility capacity; garden sizes in Drakies are small so a local park is even more important; the Council have done little to maintain the park and now want to put a road through it; loss of habitat and species; no benefit to local residents; street league football use the park pitch; and, the next nearest

park at Inshes is across a very busy distributor road.

Erin Christie (1312545)

Supports allocation for retail and business uses and seeks removal of requirements for development brief and road access from Eagle roundabout because: the proposed access arrangements are ineffective and unsustainable and that a technically compliant, more efficient and sustainable strategy which takes direct access into the site off Sir Walter Scott Drive is available; the proposed access will reduce the quality and quantity of green and play space; it will create a ransom to the Council; the northern site is overgrown with no immediate or future prospect of improvement; the size and scale of the site doesn't need an extensive public engagement strategy.

Lidl per KHP (1312411)

Objects to allocation as housing only site and vehicular access road only being permitted from the Sir Walter Scott Drive/Inshes Road roundabout (known as the Eagle roundabout). Describes current planning application [*] for a medium-sized discount foodstore to be located on the northern part of the site (adjacent to the Policy Scotland HQ) with housing to the south. Outlines benefits of current application proposal: provides retail facilities that serve the local area focussed on South Inverness; reduces the travel of existing Lidl customers in South Inverness who no longer need to visit Lidl's existing store at Telford Street; reduces travel and therefore harmful emissions to other more distant stores; helps meet significant quantitative and qualitative retail deficiencies caused in part by rapid population growth; site has good active travel and public transport accessibility; the site is located immediately adjacent to the Inshes Commercial Centre; the proposed retail unit will financially support the provision of affordable housing units on the remainder of the INS15 site; it will make a significant contribution towards the upgrading of the local infrastructure network, particularly for the proposals for the upgrade of the Inshes roundabout (Phase 2); and, a safe access can be provided direct from a new access of Sir Walter Scott Drive without adversely affecting existing/projected traffic flows. Seeks amendment to Proposed Use: mixed retail, residential and public open space and removal of reference for the required vehicular access to be only permitted from the SWSD/Inshes Road roundabout.

INS17: Ness-side North

Equorium Property per John Handley (1312478)

Same as Settlement Map section objection. Objects to non-inclusion of Holm Mills as a protected commercial centre in the Plan's retail hierarchy because: it is allocated for mixed use development within the Plan, the aIMFLDP and related development brief; it is part of the City's established retail centre hierarchy and is a tourist destination; the respondent as owner is committed to retaining and expanding the tourism and retail offer at the site and to safeguarding existing and providing new jobs; this site is 1 of a national chain of 20 similar centres; SPP (paragraphs 61 to 63) requires the identification and safeguarding of centres such as this one; it accommodates a diverse range of uses and retail goods including James Pringle Weavers, the Highland Life Weaving Exhibition and the Ghillies Restaurant; and, it is a dedicated stop on the Inverness City Sightseeing Tour Bus Route and visited by private coach tours and has a strategic draw as a tourist destination.

I&G MacDonald per Thomas Luke (1312416)

Supports allocation but offers/seeks clarifications: respondent intends to bring this site forward for development during the Plan period and it is effective (meets all PAN criteria); any future planning application for this site will be accompanied by the necessary surveys and assessments; the developer requirements section should make specific reference to

the access arrangements that have previously been agreed with the Council (along the western boundary and the south facing spur of the existing roundabout at the A8082); the site is sustainable in terms of its proximity to local facilities and sustainable travel mode connectivity; and, the site is part serviced including a high capacity road to its boundary.

INS18: Knocknagael

Agata Kowalczyk (1323257), Alan MacKenzie (1312429), Alison Matheson (1323245), Andrew Lindley (1310224), Andrew Martin (1323242), Angela Cran (1323029), Ariane Burgess (1323240), Ballifeary Community Council (1312380), Bernadette Church (1312403)

Caroline Phillips (1261275), Catherine Mackenzie (1323400), Christie Family (1323458), Colin McLean (1312537), Des Kelly (1323251)

Donna Brown (1312529), Dorothy Getliffe (1270774), Feona Wyllie (1269640), Fraser Morrison (1323342), Graeme MacDonald (1312521), Heather Henderson (1323274), James Shewan (1312423), Janet Baraclough (1323246), Jean Thompson (1323381), Joanne MacCulloch (1323345), Jonathan Wordsworth (1323248), Julie Fraser (1312492), Kate Macdonald (1268991), Kathleen Black (1312432), Katie Walter (1323046), Kay Kelly (1323244), Kay MacDonald (1271832), Knocknagael Allotments Association and Knocknagael Ltd (1221030), Laura Nicolson (1323261), Louise Morris (1310440), Margaret Mulholland (1323253), Morag McLean (1312535), Neil Morris (1323035), Neil Sharpe (1312471), Paddy McGarrigle (1312348), Peter & Hilary Prall (1323336), Ross Davidson (1271956), Samuel Catley (1323238), Sharon Green (1323276), Susan Coyne (1323219), William Allan Middleton (1323269), William Gillespie (1323393)

The above parties object to the allocation for one or more of the following reasons: the site is good (part prime) quality agricultural land with strong potential to provide for community food growing and amenity areas; it was rejected as a development site by the Reporter during the last aIMFLDP Examination process; many other good agricultural land sites are being lost to development and so its scarcity is enhanced; with rising inflation and food poverty local affordable food is more crucial than ever; the community has been working for more than six years on the development of the Knocknagael Green Hub (full details of project supplied [*]) at the smiddy field; the community proposal is a charitable one; an Asset Transfer Request to acquire the site is ongoing; a Scottish Land Fund Stage 2 funding request has also been made to enable purchase of the site; there is majority local community support for the project (a community consultation in October 2020, completed by more than 340 people showed 98% were in support of the project; 80% would use the community garden; 94% would visit wildlife areas and accessible paths; and 165 respondents were interested in having an allotment); the project will deliver the Council's own Highland Community Food Growing Strategy which is a local authority requirement under the same Community Empowerment Act 2015; the allocation will undermine the community's project as it will compromise the space available for the green hub and food growing; housing will also threaten the future of the bull farm and the 3 million investment in the refurbishment of the farm because 200 houses and accompanying residents, pets etc. beside a working farm and keeping bulls and livestock adjacent will create conflict as well as restrict capacity to grow crops; the flood alleviation scheme (which is more than 3 metres deep) creates health and safety risks and is of inadequate capacity; the local road network is inadequate (Essich Road is a single track road and the Torbreck Road has poor visibility); the significant negative landscape impact on the character of the area and locality changing the open nature and the connection with the rural fringe; opportunity cost of not delivering the Knocknagael Green Hub, which would create allotments, an orchard, areas for walking, wildlife, and community growing areas, and will enhance the character of the locality, and link with the network of hedgerows, fields, and groups of trees part of the landscape; the Hub proposal could provide the social glue to hold the community

together; lack of health facility (no local GP surgery or pharmacy); poor public transport connectivity; inadequate education capacity (secondary school at capacity); Essich Road/SDR roundabout undersized; loss of residents' views across open fields; absence of detailed layout for the housing proposal; excessive housing density; developer requirements too vague and will therefore not be enforced / enforceable; bull stud farm operational and needs all its ground for winter feed; modern house gardens are too small to allow food growing so larger areas are essential; new housing will generate far more additional car trips than allotments; allotments are good for carbon capture and will therefore assist in the Council's stated Plan aim of addressing climate change; housing in this area would be ribbon development along Essich Road; light, air and noise pollution from new houses; adverse impact on green network connectivity around edge of City; increased litter eating risk to livestock; increased disturbance from dog walkers; other better, allocated housing sites along A96 corridor and closeby at Ness Castle; inadequate capacity at Raigmore Hospital; existing roads can't be maintained so no need for new roads; loss of (badger) habitat; no local community centre; fear of being overlooked by 3 storey blocks because these are typical in recent Inverness developments; loss of quiet suburban character of the area; increased congestion on SDR distributor road eventually reaching bottleneck at Inshes junction; increased flood risk to River Ness and central Inverness; property depreciation; possible loss of woodland and its amenity / habitat value; pollution to and rerouting of watercourses; increased pedestrian movements past existing houses; local food growing will reduce expenditure leakage outwith Highland and food transport costs; local healthy food growing and recreation will help reduce obesity and address other physical and mental health conditions; local food sourcing helps resilience to national supply shortages; the Hub proposal will increase biodiversity and carbon capture relative to the existing land use and certainly compared to housing use; paths through the Hub proposal will be wheelchair accessible unlike existing paths; there is a long local waiting list for new allotments; the educational and social benefits of allotments; adverse impact on protected species by loss of their foraging grounds; contrary to UN Sustainable development Goals especially on biodiversity; adverse impact on bull stud farm; contrary to net zero commitment; no guarantee allotments will be delivered in a mixed use allocation; adverse visual impact on public views from local walking routes; loss of greenspace; better to build another new town like Tornagrain than to fill in all the City's greenspaces; lack of local nursery school capacity; and, the Hub proposal will increase community social cohesion whereas another soulless suburban estate without facilities will worsen it.

Freda Newton per GHJ (1220548)

Objects to INS18 but if it is confirmed then land opposite (site IN62 in the MIR) should be allocated for longer term housing development with associated provision for community facilities, green space and active travel links with adjoining areas of the City because of submissions made at previous Plan stages (resupplied [*]).

Highland Housing Hub (1154846)

Supports inclusion of site and stated developer requirements including the preparation of a Development Brief and inclusion of community interests.

INS19: Ness-side South East

Alison Matheson (1323245)

Objects to the lack of recognition of core paths in the proposals. Wishes inclusion and provision of two new core paths one alongside the river and another alongside Dores Road because access to the river is currently appalling (broken up and difficult).

Lochardil & Drummond Community Council (1270300)

Objects to the lack of recognition of core paths in the proposals. Wishes inclusion and provision of two new core paths one alongside the river and another alongside Dores Road because access to the river is currently appalling (broken up and difficult). Also suggests a new longer distance active travel route (and core path) between Torbreck woods and Inverness (map supplied [*]) because Dores Road is used by cyclists and walkers and is hazardous (due to the speed of traffic and narrowness). These new core paths will also be tourist assets.

Ness Valley Leisure per Pegasus Group (1218859)

Supports INS14 and INS19 as landowner but seeks clarifications. On INS14, a key element of the housing proposals on the site is for a retirement village and this should be referenced in the Plan. On INS19, clarifies that aim to deliver a residential care home, nursery, retirement village and homes and the site is deliverable within the next 5 years.

The Cardrona Charitable Trust per GHJ (1312294)

Comments that allocation in accordance with previous submissions made by client.

INS20: East of Milton of Leys Primary School

Jean-Paul Kowaliski (1310382)

Objects because: site should be used mainly for community use and retail, with eventual hospitality (coffee shop); housing use should be reduced to a minimum, maybe only on 0.2 ha of the 0.5 ha available (8 units); there are community facility deficiencies for a community centre, a chapel, a bigger primary school, a kickpitch (promised one at west of Leys Green not delivered); and, housing shouldn't overlook other buildings and certainly not the nursery.

Tulloch Homes per Suller Clark (1218219)

Supports but seeks a more flexible use mix and phasing because: commercial unit demand low as evidenced by long unsuccessful marketing period and operator led; of current application for 12 apartments and 12 cottage flats for care home staff accommodation; and, several non-mainstream housing uses have already been delivered within this neighbourhood centre.

INS22: Inshes Road

Brian Grant per G&S (1221029)

Landowner of part of site supports allocation but seeks clarification that it is suitable for a medium scale residential development because: the site has not been formally incorporated into the park and currently offers no amenity or economic value; a sensitive mixed use development at this site can offer positive benefits to the wider area; the site is an effective housing site that can be delivered during the Plan period; there are no major known constraints; the site is currently on the market; and, it is in a sustainable location in terms of accessibility to facilities by sustainable travel modes complying with the Scottish Government's 20 minute neighbourhood concept.

Feona Wyllie (1269640)

Objects because: increased traffic onto an already congested Sir Walter Scott Drive and feeding into the impossibly congested Inshes Roundabout; loss of green space; increased air pollution; and loss of flood storage (Inshes Park is a flood plain and often very marshy in wet weather). Seeks no further development in this area until a demonstrable difference has been made to the flow of traffic on the Inshes Roundabout and all the roads that feed into this.

Inshes Community Association (1260543)

Objects to housing component of allocation because: respondent has led fundraising and developing the facilities within the park and feels allocation is crucial to the look and feel of the whole of Inverness South; site is at the very busy junction at the 'Eagle roundabout' and therefore sets the tone for the fantastic district park behind it; the site has a long-standing allocation in successive development plans as part of Inshes Park; it will remove the opportunity for a meaningful and attractive entrance to the Park; respondent has proposed (and consulted on) community facilities some of which might be commercial (coffee shop/ farm shop/ sports MUGA) parking and a park entrance on this land; the school end of the site should be given over to school pick-up and drop-off parking to remove congestion and increase safety at Inshes Primary School; there are adequate allocated housing sites elsewhere; and, the lack of progress has been due to the multiple ownerships not the lack of a housing allocation. Seeks amendment for a developer masterplan to promote a gateway feature, community facilities, modest commercial use and parking for park users and school drop off.

INS23: Milton of Leys Centre East

SEPA (906306)

Recommends that requirements for alternative proposals are outlined, as is the case for most other allocations which already have an extant consent.

INS24: Culduthel Road Funeral Home

SEPA (906306)

Recommends that requirements for alternative proposals are outlined, as is the case for most other allocations which already have an extant consent.

INS26: Slackbuie Pitches

Francois Douaud (1310275)

Objects to any development because: it is currently a green space for local fauna and flora that bring much needed oxygen to the surrounding residential developments; and, it is a well used, valued, undeveloped community space used by dog walkers, youths and wildlife.

INS27: Raigmore Hospital

Denise Stewart-Thomson and 85 petitioners (1323268)

Object to principle of any bus service/gate/link from Raigmore Estate through to the Raigmore Hospital site because: Raigmore Estate is a small cul-de-sac of residential properties (approx. 1200 residents / 600 properties) and is valued as a safe, quiet area to live and raise family in; the current local bus service which enables access to Inverness City centre runs hourly, is poorly used and heavily subsidised; better (more frequent and more destinations) alternative bus connections are available within a short walking distance at Millburn Road and Raigmore Hospital; there are good existing active travel links linking Raigmore with surrounding areas; the majority of local residents oppose the connection (evidenced by objections to recent planning application [*]); loss of residential amenity; rejection of recent planning application by councillors; increased road safety and (air and noise) pollution impacts of an increased frequency bus service along an inadequate road network; discouragement of active travel movements; and, of additional reasons / evidence lodged in opposition to recent planning application [*].

SEPA (906306)

Objects because now has records of flash flooding within this area. Seeks additional flood

risk assessment requirement.

“Flood Risk Assessment (no development in area shown to be at risk of flooding).”

INS28: Milton of Leys Primary School

SEPA (906306)

Recommends that requirements for alternative proposals are outlined, as is the case for most other allocations which already have an extant consent.

INS29: North of Castleton Village

SEPA (906306)

Recommends that requirements for alternative proposals are outlined, as is the case for most other allocations which already have an extant consent.

INS30: Ness Castle Primary School

SEPA (906306)

Recommends that requirements for alternative proposals are outlined, as is the case for most other allocations which already have an extant consent.

Modifications sought by those submitting representations:

Placemaking Priorities

Alison Matheson (1323245)

Deletion of wholly new housing sites or a significant reduction in the capacity of all housing sites or the prior improvement of all infrastructure and facility networks so capacity exists in all networks to accommodate further housing development. A strategic allocation for cycling and recreation near the canal and Torvean Quarry (all assumed).

Brian Mackay (1312392)

Addition of more explicit protection of South Inverness greenspaces particularly Fairways Golf Course (assumed).

Derek Hardie (1261798)

Addition of more explicit protection of South Inverness greenspaces particularly Fairways Golf Course (assumed).

Donald Begg (1312031)

Amendments to achieve a significant reduction in scale of development or prior improvement to infrastructure capacity particularly road capacity and secondary school capacity.

Ewan Gunn (1261892)

Addition of more explicit protection of South Inverness greenspaces particularly Fairways Golf Course (assumed).

Frazer Mackenzie (1312396)

Addition of more explicit protection of South Inverness greenspaces particularly Fairways Golf Course (assumed).

John Macrae (1267017)

Addition of more explicit protection of South Inverness greenspaces particularly Fairways Golf Course (assumed).

Kirkwood Homes & Fairways Inverness Limited per EMAC Planning (1312501)

Addition of an allocation at Fairways Golf Course for “Mixed use development comprising up to 800 houses (private and affordable), primary school / community campus, office and retail / commercial development; 9 hole golf course; new woodland planting, amenity open space with associated infrastructure, access, drainage and SUDS”.

Laura Keel (1312275)

Plan clarification that the 1,200 homes Tulloch Homes proposal at Welltown of Leys is not supported (assumed).

Lidl per KHP (1312411)

Amendment to wording of 2nd priority as follows: “Encourage more sustainable, walkable communities by delivering neighbourhood services and facilities, as well as housing, in locations central to the communities which they serve which are easily accessible by active walking modes (walking, wheeling and cycling).”

Lochardil & Drummond Community Council (1270300)

Placemaking Priorities to calm traffic speed, reduce car use, increase active travel and safe routes to walk and cycle to school and town (map supplied of ideas [*]).

Mark Robertson (1247997)

Addition of more explicit protection of South Inverness greenspaces particularly Fairways Golf Course (assumed).

Rachel Desmond (1271418)

Addition of more explicit protection of South Inverness greenspaces particularly Fairways Golf Course (assumed).

Richard Cole-Hamilton (1271499)

Deletion of active travel link reference in INS01 and Plan clarification that there will be no such link via Culcabock Avenue (assumed).

Richard Desmond (1268629)

Unclear.

Sarah Desmond (1271421)

Addition of more explicit protection of South Inverness greenspaces particularly Fairways Golf Course (assumed).

Tulloch Homes per Suller Clark (1218219)

Addition of a residential led City expansion area on land at Druid Temple/Welltown in line with supplied indicative framework [*].

Settlement Map

Aureen Hardie (1248087), David Finlayson (1249118), DW Peterson (1268257), E. Ross (1323485), John Macrae (1267017), Kate Macdonald (1268991), M E Peterson (1262526), Mark Astley-Jones (1261256), Michael Newcomen (1263799), Richard Desmond (1268629), Robert & Marjory Peckham (1260407), Stuart MacKinnon (1267732)

Addition of more explicit protection of Fairways Golf Course as a greenspace.

Equorium Property per John Handley (1312478)

Addition of Holm Mills as a protected commercial centre in the Plan’s retail hierarchy.

Highland Astronomical Society (963272)

None (assumed).

Highland Housing Alliance and Hazeldene both per Turley (1323057)

Additional mixed use allocation of 25.2 hectares of land for a residential (400 units) led expansion area at Milton of Leys South and its inclusion within the City SDA.

Highland Housing Hub (1154846)

Additional mixed use allocation of 25.2 hectares of land for a residential (400 units) led expansion area at Milton of Leys South and its inclusion within the City SDA (assumed).

Jacquie Laird (1269758)

Deletion of all Inverness South housing sites but particularly INS12, INS13 and INS18 (assumed).

Kirkwood Homes & Fairways Inverness Limited per EMAC Planning (1312501)

Addition of a mixed use allocation at Fairways Golf Course (site IN63 of MIR) for 800 houses, primary school, community campus, office, retail, 9 hole golf course and greenspace.

Lochardil & Drummond Community Council (1270300)

Reduction in scale and density of South Inverness housing sites (assumed). More explicit protection of specific greenspaces at: MacDonald Park, the green lawn adjacent to the Lochardil Pharmacy, Lochardil Woods, Culduthel Community Woods and the grass linking the two woods, Aultnaskiach Community Woods, the wetland area with natural vegetation at the end of West Heather Road, the Scheduled Monument adjacent to Slackbuie Avenue, Culduthel Park, and the green fields adjacent to the Gaelic School.

Manda Construction per GHJ (1270977)

Addition of a mixed use development allocation of land south east of West Heather Road as per submission at MIR stage

[*] and a 10 unit housing allocation of land west of Culduthel Place (identified as IN26 in MIR).

Tulloch Homes per Suller Clark (1218219)

Additional allocation for a residential expansion area on land at Druid Temple/Welltown (same as Placemaking Priorities section above).

INS01: Drakies House

Feona Wyllie (1269640)

An alternative road access away from Old Perth Road but ideally no further development allocations in this area until a demonstrable difference has been made to the flow of traffic on the Inshes Roundabout and all the roads that feed into this.

Gillian Kirby (1312422)

Unclear.

Jennifer Fraser (1324335)

Plan clarification that there will be no active travel link between Drakies housing estate and Culcabock Avenue.

Joan McEwen (952586)

Deletion of allocation or reduction in capacity and specific requirements for drainage and other infrastructure.

John McKimmie (1323373)

Deletion of allocation or more secure developer requirements (assumed).

Richard Cole-Hamilton (1271499)

Plan clarification that active travel linkages between Thistle Road and Old Perth Road should be exclusively contained within the curtilage of INS01 and not link to Culcabock Avenue.

INS02: Inshes Small Holdings

Joan McEwen (952586)

Deletion of allocation or reduction in capacity and specific requirements for drainage and other infrastructure.

INS03 Dell of Inshes

Abrdn per Phil Pritchett (1312484)

Allocation provisions amended to reflect the adopted development brief for the land. Deletion of reference to developer contributions being required based on Inverness East Development Brief.

Alistair Macleod (1323239)

Deletion of allocation or amended requirements to reduce housing density, setback from adjacent properties, maximum of two storey properties, and retention of existing trees on retail park access road (assumed).

Joan McEwen (952586)

Deletion of allocation or developer requirement to insist on no culverting of watercourses and a flood scheme to alleviate flooding within Dell and Inshes burn catchments (assumed).

INS04: Druid Temple

Donald Begg (1312031)

Deletion of allocation (assumed).

INS06: Milton of Leys Care Home

SEPA (906306)

Addition of developer requirements for alternative proposals.

INS08: Earls Gate

Feona Wyllie (1269640)

Deletion of allocation or prior completion of Inshes Corridor transport scheme that reduces congestion on this part of the local road network (assumed).

INS09: Drummond Hill

Alison Matheson (1323245)

Deletion of allocation or lower capacity (assumed).

Lochardil & Drummond Community Council (1270300)

Deletion of allocation or lower capacity (assumed).

SEPA (906306)

Addition of developer requirements for alternative proposals.

INS10: Ness-side Central

Tesco per Pritchett (1312483)

Addition of Dores Road commercial area as a protected district/local centre.

The Cardrona Charitable Trust per GHJ (1312294)

Amendment to allocation boundary to exclude Holm Burn and its associated woodland, long built development such as the Tesco Ness-side store and the proposed new church on land to its north.

INS11: Holm Burn Place

Tulloch Homes per Suller Clark (1218219)

None.

INS12: Ness Castle West

Lindsay Donaldson (1323341)

Deletion of allocation (assumed).

INS14: Ness-side South

Ness Valley Leisure per Pegasus Group (1218859)

Amendments to clarify that INS14 is for a retirement village and that INS19 is for a residential care home, nursery, retirement village and homes.

The Cardrona Charitable Trust per GHJ (1312294)

None.

INS15: Sir Walter Scott Drive

Aileen Gardner (1312542), Alan Johnstone (1323496), Alan Ogilvie (1270211), Angela Hanning (1323275), Angela Ogilvie (1312259),

Ann Johnston (1323334), Calum Ogilvie (1312239), Cassie Hogg (1312198), Christine Browne (1312225), Dorothy France (1323390), Eilidh Mackinnon (1312240), Elaine Miller (1312234), Elaine Mudie (1323349), Elaine Webster (1323346), Feona Wyllie (1269640), Fiona Ednie (1312244), Fiona Stuart (1323437), Frances Loch (1323241), Gail Kennedy (1323335), George Dickson (1323333), Gillian Kirby (1312422), Hannah Sweeney (1323457), Iain MacKay (1323054), Karyne Walker (1323344), Keith Bousfield (1312201), Marya Meighan (1323249), Mhairi MacDonald (1323348), Michelle Breau (1323479), Myra Gillon (1323252), Rob Polson (1323126), Sarah Rollo (1312246), Stephanie Cowie (1324320), Stephanie Logan (1323271), Stephen Loch (1323340), Trish MacDonald (1323398), William Fraser (1312273), Winifred MacDonald (1323376)

Delete allocation or revert back to only business use as indicated in the aIMFLDP with road access only through the Police Scotland headquarters site. Retain the playpark and adjoining community land as protected open space. Some respondents suggest additional woodland within the park to increase its biodiversity and carbon capture potential or allotments.

INS17: Ness-side North

Equorium Property per John Handley (1312478)

Same as Settlement Map section objection. Addition of Holm Mills as a protected commercial centre in the Plan's retail hierarchy.

I&G MacDonald per Thomas Luke (1312416)

Addition of a developer requirement that there should be ransom free road access along the site's western boundary and the south facing spur of the existing roundabout at the A8082 (assumed).

INS18: Knocknagael

Deletion of the allocation or allocated only for agricultural and community (allotments / food growing / greenspace) use.

INS19: Ness-side South East

Alison Matheson (1323245)

Addition of developer requirements for two new core paths one alongside the river and another alongside Dores Road (assumed).

Lochardil & Drummond Community Council (1270300)

Addition of developer requirements for new core paths alongside the river and alongside Dores Road and a new longer distance active travel route (and core path) between Torbreck woods and Inverness (map supplied [*]).

Ness Valley Leisure per Pegasus Group (1218859)

Amendments to clarify that INS14 is for a retirement village and that INS19 is for a residential care home, nursery, retirement village and homes.

The Cardrona Charitable Trust per GHJ (1312294)

None.

INS20: East of Milton of Leys Primary School

Jean-Paul Kowaliski (1310382)

Amendments so site used mainly for community use and retail, with eventual hospitality (coffee shop); housing use reduced to a minimum, on 0.2 ha of the 0.5 ha available (8 units)

Tulloch Homes per Suller Clark (1218219)

Amendment of acceptable uses and their phasing to make them more flexible.

INS22: Inshes Road

Brian Grant per G&S (1221029)

Increase in housing capacity (assumed).

Feona Wyllie (1269640)

Deletion of allocation or prior completion of Inshes Corridor transport scheme that reduces congestion on this part of the local road network (assumed).

Inshes Community Association (1260543)

Deletion of allocation or its amendment to require a developer masterplan to promote a gateway feature, community facilities, modest commercial use and parking for park users and school drop off (assumed).

INS23: Milton of Leys Centre East

SEPA (906306)

Addition of developer requirements for alternative proposals.

INS24: Culduthel Road Funeral Home

SEPA (906306)

Addition of developer requirements for alternative proposals.

INS26: Slackbuie Pitches

Francois Douaud (1310275)

Deletion of allocation or clarification that no built development will be supported (assumed).

INS27: Raigmore Hospital

Denise Stewart-Thomson and 85 petitioners (1323268)

Deletion of requirement for bus service/gate/link from Raigmore Estate through to the Raigmore Hospital (assumed).

SEPA (906306)

Addition of flood risk assessment requirement: "Flood Risk Assessment (no development in area shown to be at risk of flooding)."

INS28: Milton of Leys Primary School

SEPA (906306)

Addition of developer requirements for alternative proposals.

INS29: North of Castleton Village

SEPA (906306)

Addition of developer requirements for alternative proposals.

INS30: Ness Castle Primary School

SEPA (906306)

Addition of developer requirements for alternative proposals.

Summary of responses (including reasons) by planning authority:**Placemaking Priorities**

Alison Matheson (1323245)

See Issue 3 Housing Requirements regarding the Council's response to conflicting claims that it has either under or over allocated land within the Plan area for future housing development. Within the Inverness HMA the Plan's 10 year, all sector Housing Supply Target (HST) is 4,405 units and corresponding Housing Land Requirement (HLR) 5,726 units. The Council's 2022 Housing Land Audit (HLA) programmes 6,888 units over a similar 10 year period but this total doesn't include small windfall developments. Therefore, the Council believes that there is a modest quantitative surplus of allocated housing land within Inverness district. As explained elsewhere in this and other Inverness issue papers, the development industry contest this conclusion and believes that there is a shortfall not a surplus. Planning permission densities and unit numbers can exceed the indicative capacities in the development plan but over time the HLA reflects these permissions and therefore they count towards meeting the housing target / requirement.

Issue 13 GP9: Delivering Development and Infrastructure provides the Council's response on the integration of new development and the infrastructure and community facility network capacity necessary to support it. The Council is very aware of the lack of primary and secondary education capacity across most of Inverness City and its inability, with

current and likely future public expenditure restraint, fully to resolve this constraint.

See Issue 8 GP4: Safeguarding Greenspace regarding the Council's general approach to the definition, identification and protection of greenspaces within all of the main settlements of the Plan area. The Council has adopted a narrow, stringent definition of what should be protected to increase the chances of these spaces being protected in planning application decision making. So, spaces need to be accessible to most of the general public and offer an obvious amenity and/or recreational value to the general public to merit protection under this policy. Other spaces may be green (or blue) and may offer biodiversity, other natural heritage, indirect amenity or other benefits but are not accessible to and used by most of the general public. Some of these other spaces are recognised as important in connectivity terms for the movement of people and wildlife and have been given a Green Network notation on the main settlement maps. They have a separate general policy with a different policy test as explained in Issue 9 GP5: Green Networks. Some spaces are indicated as protected in the Audit but the solid green notation doesn't appear on the Plan settlement mapping. These are solely where there is an overlapping Plan allocation that provides more prescriptive advice on how the space should be retained but also enhanced. The most typical example of this would be a recreational facility including a sports pitch where the pitch needs extension or additional changing or other complementary facilities. Most of the land adjoining the canal and Torvean Quarry is already depicted as protected greenspace and crisscrossed by both formal and informal active travel routes. The Council's response to Knockagael is set out under site INS18 below. Accordingly, the Council believes that the Plan should remain unaltered in respect of this representation.

Brian Mackay (1312392)

See response to Alison Matheson above regarding the Council's general approach to the definition, identification and protection of greenspaces. Fairways Golf Course has been depicted as a protected greenspace within the Plan because: parts of it still function as a publicly accessible golf course and driving range and it is therefore a formal recreational asset; core paths run through it and therefore the general public derive a direct amenity value from the space; most of its area is covered by a tree preservation order [*] and this planting provides a direct amenity value to the general public that enjoy informal recreation in this area; and, it is large enough, central enough to the South Inverness neighbourhoods, and of high enough quality of outlook and amenity, to attract a high number of public users from across the urban district. The Council accepts that publicly accessible and useable greenspace has multiple benefits. The Fairways greenspace area boundary requires a factual correction to remove land already developed for housing at Upper Slackbuie [*].

Derek Hardie (1261798)

See responses to Alison Matheson and Brian Mackay above.

Donald Begg (1312031)

See response to Alison Matheson above.

Ewan Gunn (1261892)

See response to Brian Mackay above.

Frazer Mackenzie (1312396)

See responses to Alison Matheson and Brian Mackay above.

John Macrae (1267017)

See responses to Alison Matheson and Brian Mackay above. The Plan doesn't identify protected greenspaces solely because of their biodiversity or wider natural heritage value although the areas shown may have such value in addition to their function and value as publicly accessible and useable greenspaces. The Fairways area is not subject to significant existing or projected future fluvial or pluvial flood risk.

Kirkwood Homes & Fairways Inverness Limited per EMAC Planning (1312501)

See full response under Kirkwood Homes objection in Settlement Map section below. The land is relatively close to many neighbourhood and urban district facilities and other infrastructure networks. However, many of these are at or over capacity. The higher parts of Fairways also present distance and gradient, active travel challenges in connecting to local facilities.

Laura Keel (1312275)

The Tulloch Homes proposal at Welltown of Leys is not supported within the Plan (see response to Tulloch Homes below).

Lidl per KHP (1312411)

The second bullet is long and includes planning jargon but is intelligible. The Plan's Spatial and Transport Strategies aim to identify and protect an optimum network of centres to function as attractive, mixed use, sustainable mode accessible, hubs for local communities. By optimum, the Council means economically viable for the operators in terms of available catchment spend (not for particular landowners or property developers) and environmentally sustainable in terms of maximising travel to, from and within each centre by sustainable modes. Both of these requirements also mean enabling and protecting centres with retail (and other footfall generating) provision that are diverse and attractive enough to prevent longer journeys by unsustainable travel modes – i.e. are competitive in terms of price, quality, range and service. The primary goal is to protect an optimum network of "town" centres. Town centres are defined in paragraph 62 of Scottish Planning Policy (SPP) as those that are genuine mixed use, day-long meeting places with good sustainable travel mode accessibility and architectural or other attractive character. Additional commercial facilities within existing residential areas will not promote an increase in the percentage of all travel that is made by sustainable mode if they don't fit with or even undermine the optimum network of centres. Accordingly, the Council believes that the Plan should remain unaltered in respect of this representation.

Lochardil & Drummond Community Council (1270300)

Map 4 Active travel Network, General Policy 14 Transport and the second and third South Inverness placemaking priorities all promote the general principle of modal shift, of improving active travel connectivity both within larger settlements and between them, and of seeking developer contributions towards such provision. Also, the Plan's South Inverness main settlement map includes local networks indicatively defined by orange-coloured pecked lines. Finally, larger, relevant allocations include specific active travel provision and developer contribution developer requirements. The requested segregated cycle lane designs and routes may have merit but are of a detail outwith the Plan's scope. Accordingly, the Council believes the Plan should remain unaltered in respect of this issue.

Mark Robertson (1247997)

See response to Brian Mackay above.

Rachel Desmond (1271418)

See responses to Alison Matheson and Brian Mackay above.

Richard Cole-Hamilton (1271499)

The Council's full response to this respondent is set out under site INS1 below. The Plan promotes new development that will be permeable to active travel movements. The Council accepts there are significant constraints to a connection between Thistle Road and Culcabock Avenue and that alternatives should be investigated.

Richard Desmond (1268629)

Noted.

Sarah Desmond (1271421)

See responses to Alison Matheson and Brian Mackay above.

Tulloch Homes per Suller Clark (1218219)

See Issue 3 Housing Requirements. Within the Inverness HMA the Plan's 10 year, all sector Housing Supply Target (HST) is 4,405 units and corresponding Housing Land Requirement (HLR) 5,726 units. The Council's 2022 Housing Land Audit (HLA) programmes 6,888 units over a similar 10 year period but this total doesn't include small windfall developments. Therefore, the Council believes that there is no quantitative deficiency argument for allocating more housing land within Inverness district.

The Council accepts that the site and proposal does have some merit but not sufficient merit to supplant allocated alternatives or to justify an additional allocation where no overall quantitative deficiency exists. The site may well be marketable, Tulloch have a good track record of timely activation of land, the land doesn't suffer from significant physical or environmental constraints, and part of the distributor road network (which acts as a bus route) is already formed. However, the safeguarding of land for a new local primary school and offer of developer contributions towards its construction is made without commitment and without the balance funding dedicated within the Council's capital programme to achieve it. Although the land is a logical extension to the existing Milton of Leys community it is not particularly sustainable. The land has a north-westerly aspect, is elevated and most parts of it present distance and gradient, active travel challenges in connecting to existing local facilities. The offers to deliver plentiful, early affordable housing units, net additional public open space and biodiverse habitats are welcomed but again made without commitment. A new 20-minute neighbourhood will only be created if the new primary school, other community facilities and local employment opportunities happen. These matters are outwith the respondent's control unless Tulloch Homes, for example, make an, unprecedented in Highland, decision to wholly fund a new primary school. The offers made are unlikely to be economically viable. The development is likely to have an adverse, reduced amenity effect on both the Leys Castle Designed Landscape and General Wade's Road Core Path. Although community consultation has been undertaken, the comments elsewhere in this issue paper demonstrate that there is not consensus support for an additional City expansion area on this land. Accordingly, the Council believes the Plan should remain unaltered in respect of this issue.

Settlement Map

Aureen Hardie (1248087), David Finlayson (1249118), DW Peterson (1268257), E. Ross (1323485), John Macrae (1267017), Kate Macdonald (1268991), M E Peterson (1262526), Mark Astley-Jones (1261256), Michael Newcomen (1263799), Richard Desmond (1268629), Robert & Marjory Peckham (1260407), Stuart MacKinnon (1267732)

Issue 13 GP9: Delivering Development and Infrastructure provides the Council's response on the integration of new development and the infrastructure and community facility network capacity necessary to support it. The Council is very aware of the lack of primary and secondary education capacity across most of Inverness City and its inability, with current and likely future public expenditure restraint, fully to resolve this constraint. See Issue 8 GP4: Safeguarding Greenspace regarding the Council's general approach to the definition, identification and protection of greenspaces within all of the main settlements of the Plan area. Fairways Golf Course has been depicted as a protected greenspace within the Plan because: parts of it still function as a publicly accessible golf course and driving range and it is therefore a formal recreational asset; core paths [*] run through it and therefore the general public derive a direct amenity value from the space; most of its area is covered by a tree preservation order [*] and this planting provides a direct amenity value to the general public that enjoy informal recreation in this area; and, it is large enough, central enough to the South Inverness neighbourhoods, and of high enough quality of outlook and amenity, to attract a high number of public users from across the urban district. The Council accepts that publicly accessible and useable greenspace has multiple benefits. The Fairways greenspace area boundary requires a factual correction to remove land already developed for housing at Upper Slackbuie [*].

Section 2.12 of the 2020 HNDA [*] explains that within the Inverness HMA that 85% of 2018/2019 house sales went to buyers with an address within Highland. It is therefore unlikely that half of new builds are bought by people moving into the area. Affordability is a concern within the Plan area (see Issue 3 Housing Requirements). Fluvial and pluvial flood risks do affect parts of the site but these can be mitigated by suitable development setbacks and physical mitigation measures. The Inverness South West Flood Relief Channel protects part of the site but is designed to maintain normal flows within the watercourses that penetrate the land. The developer isn't proposing any net woodland loss so pollution and climate change effects from this factor may be negligible. In the 1990s, Fairways Golf Course was supported by council planning policy as one of several green wedges as part of a wider spatial strategy for Inverness. This strategy intended that all the peripheral residential neighbourhoods would be separated by green wedges allowing each neighbourhood its own identity and close access to recreational space. The golf course was constructed in the 1990s in line with this strategy. The owners of the land have sought to transition from golf course use to other more commercial uses since that time. The original course has been reduced in length and playability several times by incursive housing and commercial development. As a result of this and reduced course maintenance, members have left to join other courses. Construction of another roundabout on Sir Walter Scott Drive distributor road is technically feasible but this is its busiest link and will increase local congestion and slow longer distance journey times. The Council is progressing a transport scheme for Inshes Roundabout and the wider Inshes Corridor but this will only help alleviate existing and projected future congestion not create additional capacity. Property depreciation because of proximity of other houses and loss of private greenfield views are not material planning considerations. Similarly, the opportunity cost foregone of a more socially beneficial use that the land could be put to, is not a valid ground of objection unless there's a stated commitment and funding to make that other use a reality including if necessary the use of compulsory purchase powers to acquire the land from an unwilling landowner. National and Highland planning policies do protect greenspaces such as this land at Fairways. The precedent argument is relevant although planning permissions have been granted on the margins of the site. Any application would have to include a protected species survey and appropriate mitigation. Accordingly, the Council believes the Plan should remain unaltered in respect of this issue.

Equorium Property per John Handley (1312478)

Plan allocation INS17 Ness-side North, promotes very little substantive change to the adopted Torvean and Ness-side Development Brief's provisions [*] other than opening up the option of some housing use of the respondent's property. The importance of the Mills as a long standing tourist attraction and local commercial centre is recognised. The Plan and the approved Brief support the expansion of that role. Notwithstanding the above, the Plan does not, separately, identify and protect commercial centres that don't meet all of the SPP town centre tests. Holm Mills does not meet all these tests. For example, its outlets and attractions are closed in the evening. See Issue 1 General, Vision and Outcomes for the overview Council response to parties seeking the identification and protection of Inverness district and commercial centres. Accordingly, the Council believes the Plan should remain unaltered in respect of this issue.

Highland Astronomical Society (963272)

Support noted and welcomed.

Highland Housing Alliance (HHA) and Hazeldene both per Turley (1323057)

See Issue 3 Housing Requirements. Within the Inverness HMA the Plan's 10 year, all sector Housing Supply Target (HST) is 4,405 units and corresponding Housing Land Requirement (HLR) 5,726 units. The Council's 2022 Housing Land Audit (HLA) programmes 6,888 units over a similar 10 year period but this total doesn't include small windfall developments. Therefore, the Council believes that there is no quantitative deficiency argument for allocating more housing land within Inverness district. The respondent queries the effectiveness of the Plan's East Inverness City expansion area. It is dependent upon an announcement of Transport Scotland investment but the Council remains confident this will occur within the Plan's lifetime given that the East Link route and related A96 connection is a City Region Deal commitment [*]. Similarly, Tornagrain demand and completions should pick-up as the new rail station [*] and primary school [*] commitments materialise.

The involvement of HHA should ensure implementation of the stated intention to deliver at least 50% of the residential units as affordable. The Council welcomes this commitment as it meets several of its own corporate and development plan priorities. This factor gives the respondents' proposal an advantage compared to other private housebuilder / landowner "new" site suggestions within the Inverness HMA.

Notwithstanding, the land is not as environmentally sustainable and economically viable for housing development compared to the land allocated for this purpose within the Plan. It has some merits. The land doesn't suffer from significant physical or environmental constraints, and part of the distributor road network (which acts as a bus route) is already formed. However, the local primary and high schools are at capacity [*] and there is insufficient funding dedicated within the Council's current capital programme [*] to resolve this issue even with the addition of projected developer contributions. It is also at the limit of the City's water supply network and suffers from water pressure issues which would require augmentation of local water storage reservoirs. Although the land lies adjacent to the existing Milton of Leys community it is not particularly sustainable. The land has a north-westerly aspect, is elevated (175-190m), subject to winter shading, and most parts of it present distance and gradient, active travel challenges in connecting to existing local facilities. Presently, a new 20-minute neighbourhood doesn't exist at this location and will only be created if new community facilities and local employment opportunities are created. The respondent's proposal offers no guarantee in terms of these components and is dominated by its housing component.

The aIMFLDP allocates much of the land for business development because it is one of the few sites in Highland close a grade separated trunk road junction with spare capacity, it has a degree of separation from the Milton of Leys residential areas, and it could provide local employment opportunities to this and other adjoining neighbourhoods. The site is still suited to this purpose but was deallocated because of a lack of employer demand despite repeated marketing attempts. The Council doesn't believe that because business use has proven unmarketable that it follows that a housing use should be substituted. Each use has different implications. For example, 400 additional houses would have a significant adverse impact on local school capacity. New local employment opportunities would better balance the local neighbourhood whereas 400 additional houses would further tip that balance towards a housing suburb. Travel patterns would also be different. Local jobs would offer the option of active travel commuting whereas 400 houses would increase the likelihood, as the respondent admits, of A9 car borne commuting. A future housing use would also be less compatible with the high voltage overhead lines that cross the site and the A9 dualled trunk road that passes close to its eastern boundary. Accordingly, the Council believes the Plan should remain unaltered in respect of this issue.

Highland Housing Hub (1154846)

See response to Highland Housing Alliance and Hazeldene above. The proposal has now (November 2022) reached a planning permission in principle application [*] stage. The Council's planning policy response to that application is not supportive [*]. There is no stated or confirmed involvement of Highlands and Islands Enterprise in delivering any employment component. Accordingly, the Council believes the Plan should remain unaltered in respect of this issue.

Jacquie Laird (1269758)

See Council's response to INS18 representations below. INS12 and INS13 benefit from an extant, locked on planning permission [*]. Issue 13 GP9: Delivering Development and Infrastructure provides the Council's response on the integration of new development and the infrastructure and community facility network capacity necessary to support it. Accordingly, the Council believes the Plan should remain unaltered in respect of this issue.

Kirkwood Homes & Fairways Inverness Limited per EMAC Planning (1312501)

See related responses above regarding Fairways' assessment and inclusion as a protected green space. The respondents have objected to many of the Plan's strategy and general policies and the Council's response to these matters is within each respective issue paper. In particular, see Issue 3 Housing Requirements. The land is relatively close to many neighbourhood and urban district facilities and other infrastructure networks. However, many of these are at or over capacity. In particular, both the relevant primary schools (Cauldeen and Hilton) and high school (Inverness Royal Academy) are forecast [*] to breach their physical capacities within the Plan period. The higher parts of Fairways also present distance and gradient, active travel challenges in connecting to local facilities. It will not therefore function particularly well as a 20 minute neighbourhood unless the new primary school, other community facilities and local employment opportunities happen. The offer of 50% managed greenspace rather than 100% underused greenspace contradicts the opinions of other respondents on this issue who highly value the informal recreational benefits of the area. Paragraph 2.1 of the respondents' full submission indicates their attitude that public access is "tolerated" and that the land is a "disused urban asset" (paragraph 3.6). The lower altitude parts of the site do/could offer reasonable sustainable mode connectivity to local facilities and employment opportunities. Kirkwood

Homes has proceeded to pre-application stage with its 800 residential unit led mixed use proposal [*] and the other respondents on this issue give an indication of the public's response to that proposal. As stated above, the Council accepts that potential adverse water environment effects can be mitigated.

The Council accepts that the site and proposal does have some merit but not sufficient merit to supplant allocated alternatives or to justify an additional allocation where no overall quantitative deficiency exists. The site may well be partially effective, it doesn't suffer from significant physical or environmental constraints, and the distributor road network (which acts as a bus route) lies adjacent. However, the safeguarding of land for a new local primary school and offer of developer contributions towards its construction is made without commitment and without the balance (deficit) funding dedicated within the Council's capital programme to achieve it and the necessary additional high school capacity. This deficit funding is outwith the respondents' and Council's control unless Kirkwood Homes, for example, make an, unprecedented in Highland, decision to wholly fund a new primary school. No such offer has been made because it would, in the Council's view, render the site economically unviable. The development is also likely to have an adverse effect on the overlapping Leys Castle Designed Landscape [*], the Fairways Trails core path [*] that runs through the site and the Fairways Tree Preservation Order [*] woodland that covers most of the site. The respondent's suggestions that they will look at allotment provision and biodiversity enhancement are made without any commitment. Accordingly, the Council believes the Plan should remain unaltered in respect of this issue.

Lochardil & Drummond Community Council (1270300)

See responses above regarding education facility capacity. The Council accepts there is a City-wide issue and has insufficient capital funding either through its own resources or through Scottish Government to support more than limited further development across the City. For this and other reasons, developer suggestions for new City expansion areas and sites have been rejected within the Plan and within this and the other Inverness issue papers.

See Issue 8 GP4: Safeguarding Greenspace regarding the Council's general approach to the definition, identification and protection of greenspaces within all of the main settlements of the Plan area. The Greenspace Audit [*] is a point in time (summer 2022) assessment of existing spaces to check whether they merit direct policy protection from development. Spaces that meet the criteria have been classified as protected greenspaces. The Council has adopted a narrow, stringent definition of what should be protected to increase the chances of these spaces being protected in planning application decision making. So, spaces need to be accessible to most of the general public and offer an obvious amenity and/or recreational value to the general public to merit protection under this policy. Other spaces may be green (or blue) and may offer biodiversity, other natural heritage, indirect amenity or other benefits but are not accessible to and used by most of the general public. Some of these other spaces are recognised as important in connectivity terms for the movement of people and wildlife and have been given a Green Network notation on the main settlement maps. They have a separate general policy with a different policy test as explained in Issue 9 GP5: Green Networks. Some spaces are indicated as protected in the Audit but the solid green notation doesn't appear on the Plan settlement mapping. These are solely where there is an overlapping Plan allocation that provides more prescriptive advice on how the space should be retained but also enhanced. The most typical example of this would be a recreational facility including a sports pitch where the pitch needs extension or additional changing or other

complementary facilities.

Applying these underlying principles to the respondent's concerns, all the listed areas carry the protected greenspace notation within the Plan except the land enclosing the Scheduled Monument adjacent to Slackbuie Avenue and West Heather Road because this land offers only very limited public accessibility and amenity value, and obtained a planning permission [*] for office development (which safeguarded the scheduled area). The Council's response to Knocknagael is given under site INS18 below. Accordingly, the Council believes the Plan should remain unaltered in respect of this issue.

Manda Construction per GHJ (1270977)

The Council recognises the planning permission at West Heather Road and therefore the principle of limited development outwith the scheduled monument area. However, this is infill in scale and given the site's constraints not worthy of a specific allocation within the Plan. See above and Issue 3 Housing Requirements regarding the Council's view that there is no quantitative deficiency argument for allocating more housing land within Inverness district. In terms of the land at Culduthel Place, the Council's reasoning for adding a protected greenspace notation is explained in the Lochardil and Drummond Community Council response above. The site functions as public open space even though it is private ownership. It is accessible and used albeit by a limited number of the general public. Almost all of the site is subject to pluvial flood risk [*]. The site attracted many representations at MIR stage [*] opposed to its development. Very limited infill development may be possible within the constraints of flood risk, existing planting retention and setback, and enhancement of public access to the greenspace but these constraints are sufficient to not endorse a development allocation at this location. Accordingly, the Council believes the Plan should remain unaltered in respect of this issue.

Tulloch Homes per Suller Clark (1218219)

See response to Tulloch Homes within Placemaking Priorities section above.

INS01: Drakies House

Feona Wyllie (1269640)

The Council refused [*] the planning application that proposed this additional access but it was granted on appeal in October 2021. The Council is progressing an Inshes Corridor transport scheme [*] to alleviate congestion in this part of the City. This additional access and development will not assist in this endeavour. The Council intended that access to the site be taken through the Raigmore Motel and include its redevelopment. Accordingly, the Council believes the Plan should remain unaltered in respect of this issue.

Gillian Kirby (1312422)

Noted.

Jennifer Fraser (1324335)

The Plan promotes new development that will be permeable to active travel movements. However, the Council accepts there are significant constraints to an active travel connection between Thistle Road and Culcabock Avenue and that alternatives should be investigated. Springfield Homes, the prospective developer of the southern (Thistle Road) and northern (north of Drakies House) portions of the INS01 allocation, presently do not control the land necessary to achieve the developer requirement stated connection route. Similarly, the Council does not own and is unlikely to use compulsory purchase powers to acquire, the land required. Active travel funding bodies don't have a current scheme

design or capital allocation for the connection. Land within the curtilage of Drakies House, if and when released for development offers the best prospect of a future active travel connection. Accordingly, if the Reporter is minded to support the representations made on this topic then the Council would suggest that the developer requirements wording be amended to delete all the bracketed text that describes where active travel links may be required.

Joan McEwen (952586)

The capacity of most of the site was set by the appeal decision not by the Council.

John McKimmie (1323373)

See response to Jennifer Fraser above. The related planning applications [*] have still to resolve drainage issues although these largely relate to future maintenance arrangements not to the principle of whether an engineering solution is possible.

Richard Cole-Hamilton (1271499)

See response to Jennifer Fraser above.

INS02: Inshes Small Holdings

Joan McEwen (952586)

The land benefits from a longstanding allocation in successive development plans and is an integral part of the completion of the Inshes residential neighbourhood. It has not been developed to date because of ownership issues but these have now been resolved. The site has been subject to previous planning applications and a 101 residential unit application [*] is pending determination. The detail of drainage and road access arrangements are yet to be resolved but have a technical solution. The existing list of developer requirements is comprehensive but if the Reporter is minded to agree with the respondent then the Council would support any additional requirements resulting from the pending application if and when a permission is granted.

INS03 Dell of Inshes

Abrdn per Phil Pritchett (1312484)

See Issue 18: GP15 Development Briefs regarding the Council's response to alleged conflicts between different parts of the development plan. The Plan intends to update the Council's planning policy in respect of this land. The respondent is currently seeking food retail (a Lidl store) development of the site. Allocation reference IN58 in the aiMFLDP excludes convenience retail for the application site. The Council's reasoning for this restriction was and is to diversify the offer of Inshes Retail Park (and adjoining land) to make it more of a genuine district centre that meets the "town centre" tests in paragraph 62 of SPP; i.e., a genuine mixed use, day-long meeting place with good sustainable travel mode accessibility and architectural or other attractive character. The existing permission, which was granted on appeal, reflects this policy aim, to a degree, by controlling uses and unit sizes. The Plan's provisions go further with this same aim. They propose to change the use of the application site to residential. The purpose of this change is twofold: to reduce the car trip generation on a site the development of which is very likely further to compromise strategic and local road capacity in this part of the City; and, to follow the National Planning Framework 4, 20 minute neighbourhood concept by putting new households within close, active travel range of a good range of existing facilities. The site was only allocated for development in the HwLDP because it was crucial to alleviating road congestion in this part of the City. It still is. Once transport (and probably flood alleviation) corridors have been established then there will be remnant land that could be used for development. 10 years ago, retail warehouse and other "big-box" comparison

retail unit demand was far higher than it is now. The respondent's current pursuit of discount food retail rather than its original development concept illustrates this point. The Council supports the need for additional comparison and convenience floorspace across the City but disagrees with this respondent and others on where that floorspace should be located. The Council believes such development should be directed to land within Inverness City Centre and other allocated sites where retail is listed as an acceptable use. The Council's planning policy response [*] to the current application designed to attract Lidl to site INS03 provides further detail. The reference to the Inverness East Development Brief (IEDB) is solely in terms of the calculation of developer contributions for strategic and local road capacity mitigation. Development of INS03 will further compromise this capacity and therefore a contribution is entirely appropriate and the IEDB provides an approved development plan protocol for its calculation. Accordingly, the Council believes the Plan should remain unaltered in respect of this issue.

Alistair Macleod (1323239)

The housing density has been set fairly high (in Highland terms) at 50 dwellings per hectare because of the site's location, very close to a range of facilities and where most land has been intensively developed. The Council accepts such a density will require careful siting and design but the retail park is already characterised by taller structures and the stated developer requirements include mitigation to address the respondent's concerns. Accordingly, the Council believes the Plan should remain unaltered in respect of this issue.

Joan McEwen (952586)

The first developer requirement is to assess flood risk areas and avoid development within them. The Council accepts that there is a history of flood events within the Dell and Inshes burn catchments and the Council is still investigating wider catchment solutions. The developer of INS03 will need to demonstrate no net detriment in respect of this issue. Accordingly, the Council believes the Plan should remain unaltered in respect of this issue.

INS04: Druid Temple

Donald Begg (1312031)

The land obtained a full planning permission for 155 houses in February 2021 [*]. The principle of development of the site was opposed by the Council during the last plan process but included by the Reporter during the aIMFLDP Examination. The permission includes mitigation for the adverse impact on General Wades Road. Accordingly, the Council believes the Plan should remain unaltered in respect of this issue.

INS06: Milton of Leys Care Home

SEPA (906306)

The care home has obtained a recent, full planning permission [*] and construction has commenced and therefore the Council believes it unnecessary to add requirements for alternative proposals. Accordingly, the Council believes the Plan should remain unaltered in respect of this issue.

INS08: Earls Gate

Feona Wyllie (1269640)

INS08 benefits from extant planning permissions and is under construction. See Settlement Map section above regarding the Council's general response to South Inverness infrastructure and greenspace issues. Accordingly, the Council believes the Plan should remain unaltered in respect of this issue.

INS09: Drummond Hill

Alison Matheson (1323245)

The site benefits from a full planning permission [*] and is under construction. The Plan stated 38 unit capacity is correct.

Lochardil & Drummond Community Council (1270300)

The site benefits from a full planning permission [*] and is under construction. The Plan stated 38 unit capacity is correct.

SEPA (906306)

The site benefits from a full planning permission [*] and is under construction. The Plan stated 38 unit capacity is correct.

INS10: Ness-side Central

Tesco per Pritchett (1312483)

The Plan does not, separately, identify and protect commercial centres that don't meet all of the SPP town centre tests. Tesco at Ness-side does not meet all these tests. For example, its permitted neighbourhood shop component has never been developed or released by Tesco. A church has been permitted to the rear of the Tesco service yard but has yet to source the funding to implement that permission. See Issue 1 General, Vision and Outcomes for the overview Council response to parties seeking the identification and protection of Inverness district and commercial centres. Accordingly, the Council believes the Plan should remain unaltered in respect of this issue save the suggested change below.

The Cardrona Charitable Trust per GHJ (1312294)

The Council agrees that the allocation boundary should be reduced for the reasons stated by the respondent. If the Reporter is minded to recommend such a reduction then the Council would suggest that existing woodland adjoining the Holm Burn and individual private houses adjoining the Holm Burn and River Ness be excluded from the boundary of INS10. Given the extant church and neighbourhood centre planning permissions [*] adjoining the Tesco store it would also be sensible to identify this land as a separate mixed use allocation in line with those permissions.

INS11: Holm Burn Place

Tulloch Homes per Suller Clark (1218219)

Support noted.

INS12: Ness Castle West

Lindsay Donaldson (1323341)

The site benefits from a locked-on planning permission [*] and long standing development plan allocation. The site has woodland constraints that will necessitate compensatory planting. This matter is addressed by planning condition and in the Plan's developer requirements wording. Accordingly, the Council believes the Plan should remain unaltered in respect of this issue save the suggested change below.

INS14: Ness-side South

Ness Valley Leisure per Pegasus Group (1218859)

The Plan doesn't make a site-specific reference to retirement residential units unless there's a particular need or suitability for them on a given site. These units may well be designed for sale or easy conversion to "mainstream", all age use and therefore a Plan

restriction is inappropriate in this case. If the owner or developer wishes to impose such a restriction through title condition or management practice then the Council wouldn't oppose this but it's not a matter for Plan reference. Accordingly, the Council believes the Plan should remain unaltered in respect of this issue save the suggested change below.

The Cardrona Charitable Trust per GHJ (1312294)

Support noted.

INS15: Sir Walter Scott Drive

Aileen Gardner (1312542), Alan Johnstone (1323496), Alan Ogilvie (1270211), Angela Hanning (1323275), Angela Ogilvie (1312259), Ann Johnston (1323334), Calum Ogilvie (1312239), Cassie Hogg (1312198), Christine Browne (1312225), Dorothy France (1323390), Eilidh Mackinnon (1312240), Elaine Miller (1312234), Elaine Mudie (1323349), Elaine Webster (1323346), Feona Wyllie (1269640), Fiona Ednie (1312244), Fiona Stuart (1323437), Frances Loch (1323241), Gail Kennedy (1323335), George Dickson (1323333), Gillian Kirby (1312422), Hannah Sweeney (1323457), Iain MacKay (1323054), Karyne Walker (1323344), Keith Bousfield (1312201), Marya Meighan (1323249), Mhairi MacDonald (1323348), Michelle Breau (1323479), Myra Gillon (1323252), Rob Polson (1323126), Sarah Rollo (1312246), Stephanie Cowie (1324320), Stephanie Logan (1323271), Stephen Loch (1323340), Trish MacDonald (1323398), William Fraser (1312273), Winifred MacDonald (1323376)

Most of the land (apart from its access road safeguard) identified under INS15 benefits from a long standing approved development plan allocation for business development. In particular, this was to allow for the adjoining Police Scotland building and operations to be expanded. However, circumstances have changed since the aIMFLDP was finalised in July 2015. Police Scotland merged the regional forces and the Highlands and Islands Headquarters north of the site now has a less prominent role and no need to expand onto the adjoining land. Vehicular access to the land was to have been taken through the existing Police Scotland land to the north in order to eliminate the need for a new access onto one of the highest traffic flow links in the Sir Walter Scott Drive distributor road. The Plan's provisions propose to change from a business use which is no longer required to residential, to follow the National Planning Framework 4, 20 minute neighbourhood concept by putting new households within close, active travel range of a good range of existing facilities. Because of the lack of local and strategic road capacity in this part of the City and the operational and security constraints to putting a road access through the Police Scotland site, the INS15 allocation boundary encloses land required for a new vehicular access taken from the existing "Eagle" roundabout (the junction of Inshes Road and Sir Walter Scott Drive). The Council accepts that this new access will result in the loss of greenspace and the need to relocate the planted bund and play area further to the west of their current location. Council planning officials were aware of the existence of the legal agreement [*] but not until recently its detailed terms. These terms do not prevent a road access as indicated in the Plan but would impose a financial penalty on the developer of INS15 if such an access were to be constructed. A planning application [*] is pending for a discount foodstore and 38 housing units on the upper part of the INS15 allocation using a new direct access off Sir Walter Scott Drive. This upper land is fenced farmland with no direct public access but does provide an indirect, amenity buffer function in separating the existing Drakies houses from the distributor road.

The Council has considered this complex set of circumstances and the representations received. The Council suggests, if the Reporter is so minded, that the allocation be deleted and its lower road access safeguard replaced by a protected greenspace notation with the upper portion (the aIMFLDP business allocation) left without any allocation or

notation. The Council's reasons are the: absence of a quantitative deficiency in the Inverness HMA housing land supply and the relatively insignificant loss of 80 units towards that supply; the lack of local and strategic road and secondary school capacity in this part of the City; the net loss of greenspace that would otherwise be protected to construct the road access; the impact on the economic viability of the site of the related legal agreement; and, the loss of a green buffer area that has indirect amenity benefit to many Drakies residents.

Other concerns expressed by respondents can be mitigated and/or have been exaggerated. With proper design and boundary treatments the access road wouldn't reduce the safety of users of the remaining park. The Inshes Corridor and Sir Walter Scott Drive routes including their adjoining footways are wide enough to allow emergency vehicles through even when traffic is queuing. There is no Council or developer proposal for a road link into the Drakies housing estate from Sir Walter Scott Drive. There are minor pluvial and small watercourse flooding issues affecting the allocation land but these can be mitigated by a development setback, within curtilage infiltration drainage, and better maintenance. The land has very little habitat and species value.

Erin Christie (1312545)

See main INS15 response above. A new T junction to Sir Walter Scott Drive is technically feasible but not supported within the Council's agreed Inshes Corridor Transport Scheme [*]. This scheme indicates a T junction to the east of the Police Scotland building but only as a replacement for the closure of the existing Drakies east and Police Scotland leg of Inshes Roundabout. Creating a net additional distributor road junction will further erode the potential to alleviate the expected increase in congestion in this part of the City.

Lidl per KHP (1312411)

See both INS15 responses above. The Council's planning policy responses to the pending Lidl application [*] detail why the Council does not support the application proposal or the Plan's amendment to endorse it. The offers to financially support the provision of affordable housing units on the remainder of the INS15 site and to make a significant contribution towards the upgrading of the local infrastructure network are made without detail or commitment.

INS17: Ness-side North

Equorium Property per John Handley (1312478)

Plan allocation INS17 Ness-side North, promotes very little substantive change to the adopted Torvean and Ness-side Development Brief's provisions [*] other than opening up the option of some housing use of the respondent's property. The importance of the Mills as a long standing tourist attraction and local commercial centre is recognised. The Plan and the approved Brief support the expansion of that role. Notwithstanding the above, the Plan does not, separately, identify and protect commercial centres that don't meet all of the SPP town centre tests. Holm Mills does not meet all these tests. For example, its outlets and attractions are closed in the evening. See Issue 1 General, Vision and Outcomes for the overview Council response to parties seeking the identification and protection of Inverness district and commercial centres. Accordingly, the Council believes the Plan should remain unaltered in respect of this issue.

I&G MacDonald per Thomas Luke (1312416)

Support noted. The West Link scheme as constructed provides two ransom free road access points to the boundary of the MacDonalds' ownership and therefore there is no reason to specify a requirement to construct what has already been completed. The

adjoining developer has not constructed public sewer connections to the boundary of the MacDonalds' ownership but that is a matter for private negotiation. Accordingly, the Council believes the Plan should remain unaltered in respect of this issue.

INS18: Knocknagael

Agata Kowalczyk (1323257), Alan MacKenzie (1312429), Alison Matheson (1323245), Andrew Lindley (1310224), Andrew Martin (1323242), Angela Cran (1323029), Ariane Burgess (1323240), Ballifeary Community Council (1312380), Bernadette Church (1312403), Caroline Phillips (1261275), Catherine Mackenzie (1323400), Christie Family (1323458), Colin McLean (1312537), Des Kelly (1323251), Donna Brown (1312529), Dorothy Getliffe (1270774), Feona Wyllie (1269640), Fraser Morrison (1323342), Graeme MacDonald (1312521), Heather Henderson (1323274), James Shewan (1312423), Janet Baraclough (1323246), Jean Thompson (1323381), Joanne MacCulloch (1323345), Jonathan Wordsworth (1323248), Julie Fraser (1312492), Kate Macdonald (1268991), Kathleen Black (1312432), Katie Walter (1323046), Kay Kelly (1323244), Kay MacDonald (1271832), Knocknagael Allotments Association and Knocknagael Ltd (1221030), Laura Nicolson (1323261), Louise Morris (1310440), Margaret Mulholland (1323253), Morag McLean (1312535), Neil Morris (1323035), Neil Sharpe (1312471), Paddy McGarrigle (1312348), Peter & Hilary Prall (1323336), Ross Davidson (1271956), Samuel Catley (1323238), Sharon Green (1323276), Susan Coyne (1323219), William Allan Middleton (1323269), William Gillespie (1323393)

A large part (8.28 hectares) of the allocation has been subject to a Community Asset Transfer request from Knocknagael Ltd to the Scottish Government. This request was refused by the Scottish Government in a letter published in August 2022 [*]. The refusal carried a right of appeal to Scottish Ministers which had to be made by July 2022. The Council does not know whether an appeal has been lodged and if it has been then the outcome of that process. The Scottish Government's reasons for refusal stated that the land was not surplus to agricultural needs until at least 2027 but also didn't represent best value for the disposal of a Scottish Government owned asset and that meeting both affordable housing priorities and allotments on the land may be a better option in the longer term.

Therefore, the availability of the land for community, housing or any other non-agricultural use is uncertain. Despite this the Council believes the land is economically viable and environmentally sustainable compared to other City expansion options. It lies close to the lowest traffic flow section of the Inverness Southern Distributor Road (SDR), within the catchment of the Inverness Royal Academy secondary school which is a modern fit for purpose facility and has some spare capacity and close to the new primary school being constructed at Ness Castle which has been designed for cost effective expansion. Trunk water and sewerage connections are close at hand and the related works have plentiful spare capacity. The allocation land is divided by the Inverness South West Flood Relief Channel which is a wide and deep open watercourse albeit with three crossing points two of which are designed for agricultural use. The land divided from the rest of the farm unit is particularly suited for development given this partial severance. The land also has the potential to deliver much needed affordable housing at a percentage rate far higher than that that could be achieved on land in private ownership. Given this context, the Council still contends that the land is suitable for a mix of uses including the allotments aspirations of Knocknagael Ltd.

In reply to respondents' individual grounds of objection: although the land is of good agricultural quality it is on the edge of a fast growing City which has already encroached

on two of its boundaries and is crossed by a flood relief channel that inhibits its productive agricultural use; the farm tenancy expires in 2027 and a higher value sale of this part of the farm would finance sourcing alternative winter feed for the Bull Stud; the last aIMFLDP Examination Report [*] rejected the site largely on the basis of a lack of quantitative housing need but affordable housing requirements within the City have increased markedly since 2014/15 when the Report was written; the Council agrees that the irreversible loss of prime farmland should be minimised and this can be achieved by sizeable allotments and public open space components to a mixed use development and minimising the footprint of built development via higher density terraced housing; the allocation supports the community's growing space aspirations if not the scale of its expansion area and associated parkland; the flood relief channel is fenced and only takes diverted waters during flood events and is therefore not a health and safety risk; Essich Road will require minor widening but this can be achieved without the need to acquire land in third party ownership; the SDR/Essich Road roundabout's central island is undersized which reduces the angle of deflection of traffic approaching the junction but this matter has been mitigated by lights controlled pedestrian crossings on three of the four legs which slows the speed of approaching traffic (a fourth crossing on Essich Road may be required); the allocation is unlikely to increase traffic on the Torbreck Road but this existing junction (with Essich Road) visibility issue could be mitigated via a mini roundabout solution; the aIMFLDP Reporter did consider that there would be an adverse landscape impact from the previous plan allocation proposal but in the interim, further development has happened along the Essich Road and Knocknagael Ltd's proposal does include a large expanse of polytunnel, allotment shed and other structures that would result in a change in landscape character; lack of health facility capacity in Inverness and wider Highland is an NHS funding, practice and staffing issue and not related to the lack of land or buildings suitable and allocated for that purpose; several, high frequency public transport routes run past the site or along the SDR and further housing development will increase the commercial attractiveness of these routes; loss of residents' private views across open fields and alleged property depreciation are not material planning considerations; ribbon development is typically defined as single plot depth housing fronting a radial road on the edge of a settlement – the allocation boundary and developer requirements promote more clustered housing development; the allocation's developer requirements reference the need to protect, enhance and create green networks; pollution issues can be mitigated by planning conditions at planning application stage; the Plan already allocates the suggested other "better" sites at Tornagrain and Ness Castle; a protected species (which includes badgers) survey requirement is already referenced; three storey blocks may be incorporated at key nodal locations but these can be positioned and oriented to avoid overlooking or other privacy issues; a small northern part of the site is affected by pluvial / small watercourse flood risk and this can be addressed by a development setback; no woodland will be lost as a result of the development and additional planted and wetland (surface water drainage ponds) habitat will be required so there should be a net biodiversity gain; and, the proposed developer development brief could look at all user path construction standards.

Accordingly, the Council believes the Plan should remain unaltered in respect of this issue.

Freda Newton per GHJ (1220548)

See the Council's response on INS18 above. Site IN62 was non-preferred by the Council at MIR stage and not included within the Plan because it is well beyond the City edge, in the countryside. It is not opposite site INS18 and would not represent a rounding off of the settlement boundary. It is not needed in quantitative terms and its out of settlement

location would require far more expensive extensions to the appropriate service connections and longer, probably less sustainable car borne, travel to local facilities.

Highland Housing Hub (1154846)

Support noted.

INS19: Ness-side South East

Alison Matheson (1323245)

INS14, which deals with most of the land the respondent is concerned about, does reference the need for improvements to active travel and green network connectivity. The related Torvean and Ness-side Development Brief Indicative Masterplan [*] depicts new paths either side of Dores Road. The intransigence of private landowners (and a suitable Holm Burn crossing point) outwith the INS14 allocation boundary is what's preventing a continuous River Ness side path. A solution would require the use of compulsory purchase powers and this matter is outwith the Plan's remit and control. Accordingly, the Council believes the Plan should remain unaltered in respect of this issue.

Lochardil & Drummond Community Council (1270300)

See response to Alison Matheson above. There are numerous existing, informal woodland path and formal road footway connections between Torbreck woods and Inverness. The Ness Castle planning permissions support the retention of these. A review of the Inverness and Nairn Core Path Plan would be the most appropriate document and process within which to formalise one or more of these as core paths.

Ness Valley Leisure per Pegasus Group (1218859)

Support noted.

The Cardrona Charitable Trust per GHJ (1312294)

Support noted.

INS20: East of Milton of Leys Primary School

Jean-Paul Kowaliski (1310382)

The Plan allocation only supports 15 residential units as flatted accommodation above and dependent upon parallel provision of commercial uses at ground floor level. There is a contrary, pending application [*] for 24 flats on the same site. The adjoining nursery has been constructed to a design and layout [*] that minimises any privacy issues. The closeby primary school acts as a community hub and its all weather pitch is available for local hire. Accordingly, the Council believes the Plan should remain unaltered in respect of this issue.

Tulloch Homes per Suller Clark (1218219)

The community and Council wishes to resist further mainstream housing proposals within the neighbourhood centre because there are plentiful housing allocations and unimplemented permissions elsewhere within the neighbourhood. The neighbourhood centre should be safeguarded for a mix of other uses. The Reporter will also be aware of other representations within this issue paper, including one from Tulloch Homes, that seek land for an additional 1,600 homes within the Milton of Leys neighbourhood. If any part of these additional expansions areas is endorsed then the commercial viability of non housing uses at site INS20 will be increased. What isn't marketable now may well be within the 10 year Plan period.

INS22: Inshes Road

Brian Grant per G&S (1221029)

This land has a long and complex planning history including rejected retail planning applications. It is also in three ownerships. These owners wish to realise a commercial development value and the Council and community wish to improve the appearance and use of land that is very prominent in public views from the adjoining Inshes Park and for the thousands passing each day, from Sir Walter Scott Drive. The land could, the Council argue should, be developed as a proper entrance to Inshes Park. The aIMFLDP allocates the land for this purpose under site reference IN64 [*]. Alternative entrances to the park have been developed off Stevenson Road but there remains a need for a similar facility on the park's primary, public frontage. The use of compulsory purchase powers to acquire the land solely for a park entrance are unlikely to be successful and/or cost effective. Given this background, INS22 proposes a compromise solution of some development value (20 housing units) to encourage the site's release and community use (a park entrance similar to those areas at Stevenson Road but also incorporating parent pick-up and drop off facilities for Inshes Primary School). The apparent agreement of one of the three landownership interests is welcomed. The Council agrees that the site's location, very close to a wide range of local facilities, should encourage sustainable mode travel choices. However, the Council agrees that some additional car borne travel will occur and some of these journeys will use the congested Inshes Corridor. To limit this adverse impact, the housing component of this site has been set relatively low and the Council's response to site INS15 above has been adjusted. Accordingly, the Council believes the Plan should remain unaltered in respect of this issue.

Feona Wyllie (1269640)

See response to Brian Grant above. The land is not attractive and useable public open space and therefore its loss to the uses intended would not be significant. The margins of the site are subject to pluvial flood risk but not to an extent that will limit built development on the wider site.

Inshes Community Association (1260543)

See response to Brian Grant above. A farm shop may not be appropriate to such an urban location and there is already a coffee shop opposite the site. The Council wouldn't oppose such a limited scale commercial use but the suggestions are unlikely to encourage the landowners to release the balance of the land for a park entrance. Addition of a housing use has already encouraged one positive landowner response. A commercial use would also be likely to attract additional car borne visits to a very constrained part of the City's road network.

INS23: Milton of Leys Centre East

SEPA (906306)

The full planning permission for four Class 1 retail units [*] is as recent as April 2022 and is very likely to be implemented. Therefore, the additional Plan content sought would add very likely unnecessary guidance to what is already a lengthy document. Accordingly, the Council believes the Plan should remain unaltered in respect of this issue.

INS24: Culduthel Road Funeral Home

SEPA (906306)

This site is of small scale and obtained a full planning permission in September 2019 [*] albeit contrary to planning policy extant at that time. The land has very limited public open space value but offers indirect amenity value because of its trees and adjacent active travel route. The permission secures enhancement of both of these features. Should the permission not be implemented then a similar proposal would be supported by the existing

Plan wording. Accordingly, the Council believes the Plan should remain unaltered in respect of this issue.

INS26: Slackbuie Pitches

Francois Douaud (1310275)

The site is allocated only for community uses that must be complementary to the existing and safeguarded sports pitch. Accordingly, the Council believes the Plan should remain unaltered in respect of this issue.

INS27: Raigmore Hospital

Denise Stewart-Thomson and 85 petitioners (1323268)

The INS27 developer requirement seeks to improve bus and active travel connectivity between Raigmore housing estate and facilities to its south. The land at Raigmore housing estate, because it accommodated a cold war bunker, was designed for security reasons as a single road access area. The bunker has long since ceased to be used for its original purpose. However, the legacy is a housing area with impermeable boundaries, the exact opposite of what a modern urban neighbourhood should provide. Recent improvements have been constructed in the way of a section of a strategic active travel route through the northern section of the estate. Next, is the provision of a bus, emergency vehicle and active travel only link along the southern boundary of the estate which would allow more efficient public transport routeing and more direct access for Raigmore residents to facilities at Inshes. The lead respondent lives close to the route of where the link was proposed [*]. This application was rejected by councillors and refused in December 2021 on the grounds of an adverse impact on the residential amenity of Woodside Terrace residents. A new route for the link has been proposed and this scheme is now a pending planning application [*]. NHS Highland's role as landowner has inhibited the selection of the optimum route but the latest application better addresses the genuine concerns of local residents than the original application proposal. The local bus company is transitioning to an electric fleet of vehicles so pollution concerns are overstated. Accordingly, the Council believes the Plan should remain unaltered in respect of this representation.

SEPA (906306)

SEPA haven't published or shared these records but the Council would support the additional requirement if the Reporter is minded to recommend it.

INS28: Milton of Leys Primary School

SEPA (906306)

The development is under construction. Accordingly, the Council believes the Plan should remain unaltered in respect of this issue.

INS29: North of Castleton Village

SEPA (906306)

The development is under construction. Accordingly, the Council believes the Plan should remain unaltered in respect of this issue.

INS30: Ness Castle Primary School

SEPA (906306)

The development is under construction. Accordingly, the Council believes the Plan should remain unaltered in respect of this issue.

Reporter's conclusions:

Reporter's recommendations:

Issue 36	Central Inverness & City-Wide	
Development plan reference:	Plan sections, PDF Pages 177 – 182 and 215 - 230	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
<p> A MacInnes (1311897) Alan Ogilvie (1254978) Alison Matheson (1323245) Anne Jackson (1312024) Anne Thomas (1323247) Balloch Community Council (1271483) Brucefields Family Golf Centre per Suller Clark (1219975) Calum Maclean (1261259) Cara Thompson (1269104) Chrissy Dewhurst (1312247) Christine Farrar (1312491) Christopher Howard (1312404) Dennis Tracey (1312010) Donald Begg (1312031) Fiona MacBeath (929534) Iain Nelson (1323043) Inverness College UHI per Montagu Evans (1271524) Jamie Hogan (1311676) Jane Arnold (1323187) Jay Wilson (1312506) JH Pension Trustees per Galbraith & AF (1312525) Karen Munro (1311058) Kevin Robertson (1312480) Lidl per KHP (1312411) Martin MacLeod (1311902) Mary Fulton (1312330) Maureen Tait (1196550) Meadhbh Maguire (1312382) Natalya Oram (1312414) NatureScot (1266529) Network Rail (1312503) Peter Young (1271496) Port of Cromarty Firth (1178440) Port of Inverness per G&S (1220786) Rebecca Fretwell (1324100) Richard Cole-Hamilton (1271499) Richard Newmark (1064730) Robyn Barrett (1312309) S Shaw (1263105) SEPA (906306) Steve North (1263190) Sue Blaney (1270621) </p>		

Sue Tracey (1323195)
Susan Bowes (1312285)
Thomas Plant (1312540)
Thomas Prag (1260543)
Tracey Phillips (1312547)
Vanessa Halhead (1312418)
William Paterson (1312493)

Provision of the development plan to which the issue relates:

City-wide and Central Inverness, PDF Pages 177 – 182 and 215 - 230

Planning authority's summary of the representation(s):

Inverness City Spatial Strategy & Placemaking Priorities

Alison Matheson (1323245)

Supports the principles set out in the Plan in terms of long term sustainable development but highlights three priority issues that need to be at the centre of the Plan: 1) protecting and providing more greenspaces; 2) calming traffic speed and reducing car use; 3) active travel and safe routes to walk and cycle to schools and town.

Objects to the scale of development proposed in Inverness because: 1) development has not been matched with infrastructure provision, e.g. schools; 2) greenfield land should be safeguarded until existing sites are built out and concerned certain sites do not meet the general policies, e.g. land at Torvean and Knocknagael.

Inverness College UHI per Montagu Evans (1271524)

Supports the spatial strategy for the city, together with the proposed placemaking priorities listed. In relation to the first placemaking priority, which states that proposals must "support the regeneration of Inverness City Centre by directing footfall-generating uses there and by preventing an increase of out-of-town retail development", Inverness College UHI seek clarification as to how this priority will be applied to sites that have a specific allocation, e.g. INC05 which is allocated for mixed use. It is not currently clear how multiple placemaking priority policies, such as 17 City Wide and 20 Central Inverness, will be applied to sites, or if there is a policy that should take priority.

Lidl per KHP (1312411)

Objects to the first of the City-wide Placemaking Priorities which seeks the concentration of all services and facilities in town centres as it is not appropriate for Inverness and would require residents in south and east Inverness to travel significant distances to access them. To address this, the Plan should continue the approach of the adopted IMFDLP and promote a distribution of services and facilities in local and commercial centres in south and east Inverness. This will deliver Scottish Government's priority for supporting 20-minute neighbourhoods. This first priority bullet is only relevant to services and facilities that seek to serve the city as a whole. Facilities/services that serve local and neighbourhood markets should be directed to neighbourhood or similar locations. The fifth bullet supports these comments through bolstering neighbourhood service centres and ..by ensuring new development is conveniently located and well-connected to them. Lidl support this priority and consider that the first bullet directly contradicts and conflicts with this priority. A suggested amendment to the first bullet is provided and set out below.

Assuming that there is no policy 16 all subsequent policies (Place -making Priorities 17

onwards) should be renumbered accordingly.

Meadhbh Maguire (1312382)

The Plan needs to be more creative in terms of delivering mixed use areas within the newer suburbs and not just housing with retail between them. Although classified as the most sustainable in the settlement hierarchy, residents are reliant on the car. Newer parts of Inverness are no more sustainable than the hinterland.

Network Rail (1312503)

The City-Wide Placemaking Priorities are supported, particularly where these provide for focussing development in sustainable locations and prioritising transport improvements, including using public transport.

Port of Inverness per G&S (1220786)

Considers that Opportunity Cromarty Firth should be identified as a City-Wide placemaking priority for Inverness and that specific reference to the Green Freeport bid should also be made within this section of the Proposed Plan.

This public and private sector partnership will deliver significant economic benefits at a regional level and will regenerate local communities, as such it should be recognised as a City-Wide Placemaking Priority.

Inverness Central General

Anne Thomas (1323247)

Now that the incinerator plans have been removed, a waterfront park should be created with active travel links to Nairn and beyond. Reasons include: 1) previous work has been carried out on this proposal; 2) there is other business land elsewhere, including North Kessock, and small pockets of land are better than large industrial parks; 3) the land is at risk of flooding which will only get worse.

Inverness Central Placemaking Priorities

Donald Begg (1312031)

Object to the idealistic and unrealistic view that cycling and walking will ever be the "logical choice and easiest way" to get into and use the City Centre because of the weather, lack of bike storage, practicalities of shopping using a bike.

Iain Nelson (1323043)

Supports this section in principle but highlights need for local community input and ensuring that development does not have detrimental impacts on the community of the environment.

Inverness College UHI per Montagu Evans (1271524)

Requests that the Plan recognises within the Placemaking Priorities for Central Inverness, or in the supporting text for the Policy, that development proposals across the INC05 area will ultimately be led by market interest for sites and will be subject to economic viability considerations.

Network Rail (1312503)

The Placemaking Priorities should make reference to the Inverness Masterplan (rail station) which is being progressed by Network Rail in collaboration with The Highland Council. It will examine how an enhanced station will integrate with the Inverness City Centre Vision and facilitate innovative placemaking, connectivity and business

opportunities, and benefits for surrounding areas over a 5-30 year horizon. The interface between the Inverness Station Masterplan and the INC03/INC04 designations will be considered as part of the masterplanning process. There may be changes in the use of the land within the railway owned land as recommended in the development and delivery of Inverness Station Masterplan that may affect the neighbouring areas that have been identified in the LDP. At this stage the nature and extent of any changes are unknown.

Port of Inverness per G&S (1220786)

It is requested that Harbour Gait is specifically identified as a Placemaking Priority for Central Inverness. This proposal presents an opportunity to create a world class waterfront destination. Placemaking is at the heart of this proposal and the development will be brought forward through a Masterplan approach. The development represents an opportunity to deliver much needed business and industrial land within Inverness and improve active travel connections to the City Centre, both of which are identified as Placemaking Priorities.

Rebecca Fretwell (1324100)

Supportive of sympathetic development of the waterfront together with active travel links as it is currently a missed opportunity.

Seeks the Crown/Hill area is designated as a low volume traffic area to help reduce the level of through traffic and improve safety for users.

Steve North (1263190)

Broadly supports the priorities but not the amount of land allocated for industrial development at the Longman. There should be a specific priority recognising the potential of the waterfront areas for amenity and recreation.

INC01:Diriebught Depot

Fiona MacBeath (929534)

Objects to the allocation because: 1) the existing road network is constrained and additional traffic will put the safety of students at risk. Access via Kingmills Road has limited scope and respondent would strongly object to any impact on the mature trees edging Fraser Park, and access via Diriebught Road is restricted; 2) It is a green field site left in ownership to the Common Good Fund of Inverness and should remain in its entirety; 3) there is already a high proportion of social housing and any increase in such housing would result in associated problems; 4) outlying villages are better placed for development than unnecessary expansion of Inverness.

Karen Munro (1311058)

Makes a series of comments and objections to the allocation including:

1. Questions how the indicative capacity of 70 units was derived.
2. States Mill Burn is not within the scope of INC01
3. Seeks clarity on the definition of a 6m buffer
4. States that the requirement relating to appropriate setbacks is vague and does not take account of noise, traffic and security impacts
5. Questions whether the required assessments will be available for review
6. Protected species should cover bats
7. Requirements relating to contamination and existing buildings are vague and do not make sense.
8. The road network is already at capacity and the development will make it worse. Questions whether more on street parking will be created close by.

9. The wording suggests this proposal has been approved, which it has not.

Rebecca Fretwell (1324100)

Supportive in principle but very concerned about: 1) the impact on the school estate as Millburn Academy which is already overcapacity and Crown is not fit for purpose; 2) the impact on the local road network as there is a lot of through traffic already. Mitigation could include reduced parking and permit parking in surrounding area but any loss of space in Fraser Park would be strongly opposed.

Tracey Phillips (1312547)

Objects to the allocation because: 1) a lack of information available to make informed decisions; 2) the high number of housing units identified; 2) amenity impacts (overlooking, noise and light pollution) on neighbouring properties; 3) increased traffic and conflict with school pupils.

INC02: Porterfield Prison

Fiona MacBeath (929534)

Objects to the allocation and the specified indicative capacity as it will cause further traffic issues in the area.

JH Pension Trustees per Galbraith & AF (1312525)

Supports the allocation and the redevelopment of the site for housing because it will help to deliver the vision and priorities outlined in the Plan, particularly given its central location.

Requests that the boundary of the site is extended to include Reay House (as per the attachment [*]) as it offers further opportunity to create a more comprehensive, sensitive, sustainable and consolidated single design redevelopment. Also, the indicative housing capacity for the combined site be amended to take account of the increased area of land.

Rebecca Fretwell (1324100)

Objects to the allocation because: 1) it is already densely populated, traffic volumes are high and there is not enough greenspace – a Crown Connects survey showed most residents felt the same; 2) the community wish to pursue an asset transfer of the property to deliver publicly accessible greenspace and community centre.

INC04: Inverness Central

Jay Wilson (1312506)

The aim to make the city centre a destination pleasant to walk, and lighter on traffic, is necessary to making the city more liveable. This will require further pedestrianisation, starting with Church Street, and ideally also Academy Street.

INC05: Shore Street City Centre Expansion Area

Inverness College UHI per Montagu Evans (1271524)

Landowner supports the allocation but stresses that it should be as open and flexible as possible to ensure that a range of viable uses can come forward on this important site, and development opportunities can be realised, subject to interest from the market, and not inhibited by the policies or designation of sites. In this regard, there is a requirement for development proposals within the INC05 area, and across Central Inverness, to align with the Inverness City Centre Development Brief ('ICCDB'), however, the framework included within ICCDB for the site is not deliverable within the short term as existing telecommunications equipment and the substation prevent continuous frontages. Inverness College UHI request that the Council are therefore realistic, open and flexible

when assessing proposals at the site if they do not align fully with the requirements of the ICCDB, to ensure that on balance, market-led development opportunities can be realised.

Requests that proposals be supported within INC05 that may come forward for a single use (e.g. housing) as the full mix of uses allocated would be difficult to achieve.

Seeks clarity on the indicative housing capacity of between 50-200 units.

Questions the need for the Developer Requirement to prepare a "development brief ahead of statutory preapplication submission", and if necessary then it should be proportionate to the size of a site coming forward for development.

Add explicit support for the development of a single use on the site.

INC06: Harbour Gait

Cara Thompson (1269104), Christopher Howard (1312404), Kevin Robertson (1312480), Mary Fulton (1312330), Jane Arnold (1323187), Peter Young (1271496), Richard Cole-Hamilton (1271499), S Shaw (1263105), Steve North (1263190), Sue Blaney (1270621), Susan Bowes (1312285), William Paterson (1312493)

Objects to the part of this site currently below high-water mark for development (approx. 15ha) and to the allocation of industrial uses closer than the current industrial activities for one or more of the following reasons: 1) Amenity - the Developer Requirements do not and cannot suitably address the visual, noise and vibration, and lighting impacts on the residents of Craigton and North Kessock on the opposite side of the Firth. There are already issues with noise pollution from the existing Longman Industrial Estate, particularly during days when the water is still, and any further industrial activities will make it worse. Disingenuous to suggest that the landscape and seascape character can be "safeguarded and respected" by further industrial development or that this can "make a positive contribution to the area"; 2) Water - narrowing of the channel by 33% will increase the tidal speed and endanger water users and increase flooding (photos provided by Peter Young [*]). This also cannot be accurately measured; 3) Environment - development would destroy the rich, varied and fragile foreshore and marine environment, parts of which are covered by protective designations, and which in themselves are a visitor attraction. Inverness has already lost too much of its intertidal waterfront. Land reclamation is recognised as bad practice in terms of addressing carbon emissions. ; 4) the allocation contradicts and is incompatible with the objectives of the Plan, the SEA Environmental Report, and the Council's general planning policies; 5) Demand - industrial needs of the area can be met on the other allocations.

Other points raised by one or more of the respondents include: 1) Objects to the absence of a specific requirement to consider impacts on the North Kessock/Craigton community; 2) North Kessock Settlement Map does not show the INC06 boundary and the grey outline is inaccurate. The Central Inverness Settlement Map does not adequately show the relationship of INC06 to North Kessock; 3) if land reclamation proposals are brought forward, e.g. to facilitate growth of the marina, these should no more than 5ha, address the reasons for objection above, exclude industrial use and enhance access to the adjacent remaining inter-tidal area and wildlife.

Jamie Hogan (1311676)

Supports the allocation because it will further develop the marine tourism sector and other industries which support the economy and the local community.

Jay Wilson (1312506)

Objects to the allocation because: 1) whilst recognising the need for industrial and business sites in the Inverness region, neither of those uses is inherently connected to the waterfront; 2) There are more appropriate uses of the land, for which it is highly valuable as the waterfront area in Inverness is limited and precious to the attractive development of the city; 3) piecemeal development will squander the opportunity to develop the site as a whole and a study should be carried out for the entire site which looks at opportunities for recreation, tourism, and connection to active travel networks; 4) The placing of industrial space next to retail, cultural, and tourism as presented here degrades the retail cultural and tourism uses permanently and sets up a conflict between uses.

NatureScot (1266529)

Supports the Developer Requirement for a Recreational Management Plan (RAMP) that considers water-based activities but, as part of the RAMP, the following should be specifically referenced: 1) to the need to avoid disturbance to the Moray Firth SAC bottlenose dolphin interests, and the bird interests of the Moray Firth SPA; and 2) measure such as adherence to the Scottish Marine Wildlife Code, and the WiSE scheme to help avoid, for example, rafts of birds on the water surface.

Noting the Developer Requirement for a Hydro-Dynamic Study to assess the impact of altered flows on sediment movement in the Moray Firth in relation to the subtidal sandbanks, NatureScot advise that only suitable development should be taken forward in light of the Dynamic Coast 2 and coastal flooding predictions.

Port of Cromarty Firth (1178440)

Seeks the expansion of INC06: Harbour Gait as per the attachment [*] because: 1) the Port of Inverness is part of Opportunity Cromarty Firth consortium which is working to deliver transformational change to the Highlands from the renewable energy projects. The Cromarty and Inner Moray Firth region sits at the heart of these offshore wind developments and, by extension, at the heart of an emerging green hydrogen economy; 2) The Cromarty Firth is the only place to deliver on UK and Scottish Government targets of 60% local content and net zero by 2050. It has the overwhelming endorsement of industry and government. Independent studies confirm it is the only place in Scotland with the land space, some of the deepest waters and quaysides in the UK, sheltered anchorage locations, and a cluster of best-in-class companies and facilities, combined with the proximity to the windfarm sites. It can compete with established facilities abroad, and create the associated well-paid, sustainable jobs and opportunities for people and businesses across Scotland and the UK.

Port of Inverness per G&S (1220786)

Landowner supports the principle of the mixed use allocation of Harbour Gait because: 1) Port of Inverness is part of the Opportunity Cromarty Firth consortium and the delivery of the Harbour Gait Masterplan will be a key component of the Green Freeport if successful. In support of the Green Freeport bid and specifically the Harbour Gait proposal a letter from Drew Henry MP has been attached [*]. Also, a letter of support is attached from Inverness Marina [*] which details their business need for an expanded marina facility; 2) The Masterplan Vision presents a unique opportunity to design and physically create a new world class mixed use waterfront destination; 3) The development will combine the outstanding natural setting, protection and enhancement of the natural environment with economic growth for Inverness City as a whole and the wider Highland region; 4) will help deliver national and regional objectives in terms of social, economic and environmental enhancement.

Requests that the range of acceptable uses also specifically includes port and marine use. These uses were specified at the Main Issues Report stage and appear to have been removed at Proposed Plan stage. Whilst covered by the Harbour Revision Order, key deliverables of the Harbour Gait Masterplan will be to expand port operations and re-locate/expand the marina facility.

Requests that the allocation boundary is extended beyond the bridge as a future development phase (the attached Masterplan [*] includes a map of the proposed extension). If Green Freeport status is granted, it will expedite the development of this area as per the Masterplan Vision.

Requests that the sentence in the Developer Requirement section that states 'Construction Environmental Management Plan to include assessment and mitigation of noise and other impacts on residents on west bank of River Ness', is amended to simply state that a 'Construction Environmental Management Plan is required' as the assessment of potential effects and mitigation measures required as part of the Construction Environmental Management Plan (CEMP) will come earlier in the process at EIA stage.

Requests that the statement requiring an Operational Environmental Management Plan is amended to an 'Environmental Management System' as operational mitigation will be incorporated into the Port of Inverness' Environmental Management System (EMS). EMS is preferred over an Operational Management Plan as it is integrated into port operations, is subject to internal audit and drives continued improvement.

Requests that reference to ship to ship transfers is removed from the last sentence in the Developer Requirements section as Port of Inverness do not intend to undertake such activities.

The above comments should be read in conjunction with the comments submitted to the SEA.

SEPA (906306)

Whilst recognising a need to support the regeneration of industry and legitimate water related business in the harbour area, SEPA raise concerns about the impact of development in relation to flood risk and climate change and objects to any type of highly vulnerable use, such as a hotel because, as identified in the Environmental Report, most of the site is shown to be at risk on the SEPA Coastal Flood Map and there are records of flooding in the area. In addition the site is likely to be effected by flood risk with a predicted sea level rise of 0.89m over the next 100 years.

INC07: Stadium Road West

SEPA (906306)

Noting that the allocation is not directly on the coast, SEPA recommend that all reference to dredging, land reclamation and assessment of hydrodynamic impacts are removed from the Developer Requirements. Also, as the Developer Requirements make two different references to foul and surface water drainage, SEPA recommend one of these is deleted. It should be clear that foul drainage should connect to the public sewer.

INC07: Stadium Road West & INC08: Stadium Road East

Alan Ogilvie (1254978)

Objects to INC07: Stadium Road West and INC08 Stadium Road East because: 1) the land mostly occupied by the existing Home and Away car and coach parks, which are required to allow the Caledonian Stadium to function for its primary purpose and formed an integral part of the planning consent for the stadium. It would therefore be a breach of planning permission for the stadium in mid-1990s and expansion in 2004; 2) The demand for parking during matchdays often outstrips supply of spaces resulting in an uncontrolled and troublesome overspill of parking in the Longman Industrial Estate.; 3) Sustainable travel options are limited with no regular daily bus service along Stadium Road and at present there are no compensatory active travel alternatives for both home and away supporters travelling to and from matches; 4) retaining on-site parking is important to support the stadium uses and the current and future generation of income to the football club; 5) questions the need for the allocation of business and industrial development on the site and suggest opportunities adjacent to the stands for small scale commercial uses. Also land may become available if the intermediate pressure gas main is diverted as part of the A9 Longman junction upgrading. Ultimately, all these uses would require parking; 6) the land supports other temporary events and uses including as a park and ride for construction workers as part of the recent planning consent for 'Red John' pumped storage hydro scheme.

Respondent comments on parts of the Tulloch Homes submission to the MIR: 1) the land is leased by Tullochs from The Highland Council on behalf of the Inverness Common Good Fund; 2) questions the consideration of the land as 'underutilised' and highlights the fundamental requirement of parking to the function of the football club and other events/uses; 3) clarifies the perceived inaccuracies in terms of the planning status, constraints, accessibility and sustainability.

Questions whether redevelopment of existing parking or any other significant development in and around the stadium would be restricted until the proposed upgrade of the A9/A82 Longman Junction is completed.

Brucefields Family Golf Centre per Suller Clark (1219975)

Supports allocation of INC07: Stadium Road West and INC08 Stadium Road East for mixed use business and industry because the sites: 1) provide valuable additions to the business and industrial allocation choice; 2) contribute towards mixed use urban living, offering sustainable and accessible employment locations with good public transport, active travel and road connections; 3) benefit from attractive waterfront locations; 4) are effective with no barriers to delivery.

INC08: Stadium Road East

SEPA (906306)

Noting that the allocation is not directly on the coast, SEPA recommend that all reference to dredging, land reclamation and assessment of hydrodynamic impacts are removed from the Developer Requirements.

INC09: Former Longman Landfill West

NatureScot (1266529)

Recommend including a Developer Requirement for protecting the features of the Longman and Castle Stuart Bays SSSI.

Support the Developer Requirement for active travel routes to and from this site to connect with the Inverness city centre, including connection to Inverness Harbour and future Longman roundabout improvements. Due to the potential for disturbance to

qualifying interests, we advise that any improvements that would provide access to the Inner Moray Firth SPA and Longman and Castle Stuart Bays SSSI would risk undermining the integrity of these protected areas. Advise that along with including the Longman and Castle Stuart Bays SSSI in the assessment, these likely significant effects on the SSSI and SPA are taken into account as part of the SEA, and that the mitigation is specifically highlighted and reflected within the Developer Requirements.

Support the Developer Requirement to improve green and blue networks and for protected species surveys including badger surveys. Recommend including a Developer Requirement that green and blue networks are linked up with those in the adjacent INC11, and that mitigation for badgers includes wildlife corridors to provide continued safe access between the two proposed sites.

SEPA (906306)

Noting that the allocation is not directly on the coast, SEPA recommend that all reference to dredging, land reclamation and assessment of hydrodynamic impacts are removed from the Developer Requirements.

INC09: Former Longman Landfill West & INC11: Former Longman Landfill East

A MacInnes (1311897), Anne Jackson (1312024), Balloch Community Council (1271483), Calum Maclean (1261259), Chrissy Dewhurst (1312247), Christine Farrar (1312491), Dennis Tracey (1312010), Jay Wilson (1312506), Natalya Oram (1312414), Richard Newmark (1064730), Robyn Barrett (1312309), Sue Tracey (1323195), Steve North (1263190), Thomas Plant (1312540)

Objects to the allocation for Industrial and Business uses on INC09: Former Longman Landfill West & INC11: Former Longman Landfill East and requests that it is safeguarded for publicly accessible green space, with some support for limited Tourism, Leisure and Recreational uses only. Reasons given include one or more of the following: 1) Having been delicensed by SEPA, the natural resources of the site hold carbon. It has been re-naturalised over 40 years with mature native woodland coverage and rich and vital biodiversity and habitat (many of which are protected species and habitats). It will comprise the function of an important green network. The toxicity of this land, which includes low level radioactive waste, must not be disturbed; 2) it is the last remaining and unique opportunity for the creation of a gateway, waterfront green space for visitors and residents of Inverness which makes the most of the attractive views. The area lacks this at present with gateways dominated by industrial development. Examples are provided of other UK cities which have successfully delivered similar waterfront development; 3) benefits from good transport links with opportunity to enhance local, regional and national footpath and cycleway networks; 4) industrial development is better located at the Inverness Airport Business Park and elsewhere, supporting it at Longman lacks vision and ambition; 5) it is a prominent gateway site and industrial development will present an unattractive first impression, adding to the existing issue; 6) it does not align with the Vision and Outcomes set out in the Plan; 7) allocation of the land is premature as the feasibility and technical acceptability of the land uses are not proven in terms of mitigation and developable land. Council and Transport Scotland should work together and produce one comprehensive EIA/masterplan which deals with the whole area as one integrated development focusing on recreation, tourism, connection to active travel networks. Piecemeal development will squander such an opportunity; 8) adversely affect the setting of the Grade B listed Kessock Bridge

Thomas Prag (1260543)

Objects to the extent of the Industrial and Business allocation because: 1) most of the

community wish to see it become a nature reserve or similar; 2) there is ample space for such uses at the Airport Business Park where many more people will be living; 3) appears to be difficulties accessing INC11; 4) large scale industrial development is incompatible with creating a coastal green zone.

Respondent recognises that part of the site closest to the A9 is suitable for development but it must be low level and screening must be delivered to minimise visual impacts.

Vanessa Halhead (1312418)

Respondent objects to any development at the former landfill (assuming both INC09: Former Longman Landfill West and INC11: Former Longman Landfill East) and protect as green space because: 1) it is an important site for wildlife; 2) it was never properly tanked/safeguarded and a tree planting programme 40 years ago to deal with it has now matured into a rich and varied habitat; 3) the level of toxicity (which includes low level radioactive waste) and gas emissions mean that the area is not safe for human use.

INC11: Former Longman Landfill East

Anne Thomas (1323247)

Suggests an alternative power source to the proposed incinerator could be provided by anaerobic digestion of herbal lays to provide gas for the gas grid. This has huge potential for decarbonising heat and providing good local jobs. A link to a draft local feasibility study has been provided.

Martin MacLeod (1311902)

Requests that a path for cycles and pedestrians could be created along the foreshore area of the former landfill site to connect Stadium Road with the truncated section of the Old Shore Road. This would create an off-road route all the way from the harbour to Milton of Culloden. The Transport Scotland Reporter agreed that this provision should be incorporated in plans for the A96 dualling. Future work could extend further eastwards/

NatureScot (1266529)

Recommend including a Developer Requirement for protecting the features of the Longman and Castle Stuart Bays SSSI.

Support the Developer Requirement for active travel routes to and from this site to connect with the Inverness city centre, including connection to Inverness Harbour and future Longman roundabout improvements. Due to the potential for disturbance to qualifying interests, NatureScot advise that any improvements that would provide access to the Inner Moray Firth SPA and Longman Bay and Castle Stuart Bays SSSI would risk undermining the integrity of these protected areas. Therefore, advise that along with including mitigation for the Longman and Castle Stuart Bays SSSI in the assessment, these likely significant effects on the SSSI and SPA are taken into account as part of the SEA, and that the mitigation is specifically highlighted and reflected within the Developer Requirements.

Support the Developer Requirement to improve green and blue networks and for protected species surveys including badger surveys. Recommend adding to the Developer Requirements that green and blue networks are linked up with those in the adjacent INC09, and that mitigation for badgers includes wildlife corridors to provide continued safe access between the two proposed sites.

SEPA (906306)

A small area of this allocation is directly on the coast. Land raising could have an impact on surrounding areas. SEPA object and ask that the land raising / hydro-dynamic aspect of the Developer Requirement is amended to “No landraising with the functional flood plain or application supported by hydrodynamic assessment to demonstrate will not have impact on flood risk of coastal processes elsewhere.”

INC06: Harbour Gait, INC07: Stadium Road West, INC08: Stadium Road East, INC09: Former Longman Landfill West & INC11: Former Longman Landfill East

Maureen Tait (1196550)

Objects to the allocations INC06, INC07, INC08, INC09 and INC11 (assumed) for industrial uses and requests the sites be allocated for leisure, tourism and housing uses because: 1) it is a waterfront site which has views out to the Moray Firth and Black Isle and further industrial development is inappropriate; 2) the area is underutilised and the current water fronting development is unattractive and uninviting for active travel; 3) it benefits from a strategic location in terms of transport links; 4) Inverness continues to see significant housing growth but with little other uses.

Modifications sought by those submitting representations:

Inverness City Spatial Strategy & Placemaking Priorities

Alison Matheson (1323245)

Overall reduction in the amount of housing being allocated for development within the Plan.

Inverness College UHI per Montagu Evans (1271524)

No modification sought but clarification requested.

Lidl per KHP (1312411)

Amend the wording of the first bullet to: Support the regeneration of Inverness City Centre by directing significant footfall-generating uses that serve the whole of the City (and beyond) to locations within the City Centre and restrict the location of this type of development in out-of-centre locations subject to compliance with the sequential approach set out in Policy 6.

Assuming that there is no Policy 16 all subsequent policies (Place -making Priorities 17 onwards) should be renumbered accordingly.

Meadhbh Maquire (1312382)

Amend the Plan so it ensures that newer suburbs are genuinely mixed use (including leisure, retail and business uses) and residents are not dependent on car.

Network Rail (1312503)

No modification sought.

Port of Inverness per G&S (1220786)

Opportunity Cromarty Firth should be identified as a City-Wide placemaking priority for Inverness and that specific reference to the Green Freeport bid should also be made within this section of the Proposed Plan.

Inverness Central General

Anne Thomas (1323247)

Removal of allocations at the waterfront (assumed) and land safeguarded for the creation

of a waterfront park and active travel link to Nairn and beyond.

Inverness Central Placemaking Priorities

Donald Begg (1312031)

Remove the Placemaking Priority to “Embed walking and cycling as the logical choice and easiest way to make every day journeys, including delivering active travel...” from the Plan (assumed)

Iain Nelson (1323043)

No modification sought.

Inverness College UHI per Montagu Evans (1271524)

Add reference within the Placemaking Priorities, or in the supporting text Inverness Central, that development proposals across the INC05 area will ultimately be led by market interest for sites and will be subject to economic viability considerations.

Network Rail (1312503)

Add reference within the Placemaking Priorities to the Inverness Masterplan (rail station).

Port of Inverness per G&S (1220786)

Add a Placemaking Priority for Central Inverness relating to the proposed development of Harbour Gait and it as a world class waterfront destination.

Rebecca Fretwell (1324100)

Add/amend Placemaking Priorities to ensure that development along the waterfront is sympathetic and active travel routes are provided (assumed)

For the Plan to designate the Crown/Hill area as a ‘low volume traffic area’.

Steve North 388 (1263190)

Add a specific priority recognising the potential of the waterfront areas for amenity and recreation.

INC01:Diriebught Depot

Fiona MacBeath (929534), Karen Munro (1311058), Tracey Phillips (1312547)

Remove allocation from the Plan.

Rebecca Fretwell (1324100)

Developer Requirements which ensure assessment of transport impacts and identification of suitable mitigation (assumed).

INC02: Porterfield Prison

Fiona MacBeath (929534), Rebecca Fretwell (1324100)

Remove the allocation from the Plan.

JH Pension Trustees per Galbraith & AF (1312525)

Extend the boundary to include Reay House as per the attachment [*] and amend the indicative housing capacity for the combined site to take account of the increased area of land.

INC04: Inverness Central

Jay Wilson (1312506)

Add a Developer Requirement or Placemaking Priority highlighting the importance of support people to walk, less traffic, further pedestrianise in making the city more liveable (assumed).

INC05: Shore Street City Centre Expansion Area

Inverness College UHI per Montagu Evans (1271524)

Add explicit support for the development of a single use on the site.

Remove the Developer Requirement for a “development brief ahead of statutory preapplication submission”, and if necessary then it should be proportionate to the size of a site coming forward for development.

INC06: Harbour Gait

Cara Thompson (1269104), Christopher Howard (1312404), Kevin Robertson (1312480), Mary Fulton (1312330), Jane Arnold (1323187), Peter Young (1271496), Richard Cole-Hamilton (1271499), S Shaw (1263105), Steve North (1263190), Sue Blaney (1270621), Susan Bowes (1312285), William Paterson (1312493)

Remove the part of this site currently below high-water mark from the allocation and remove support for Industrial uses beyond the current industrial activities. Add a Developer Requirement to consider impacts on the North Kessock/Craigton community.

Jamie Hogan (1311676)

No modification sought.

Jay Wilson (1312506)

Remove Industrial and Business use from the list of acceptable uses. Require a Development Brief, or similar work, to be carried for the entire site prior to any development proposals being supported.

NatureScot (1266529)

Amend the Developer Requirement relating to the need for a Recreational Management Plan (RAMP) to specifically reference: 1) the need to avoid disturbance to the Moray Firth SAC bottlenose dolphin interests, and the bird interests of the Moray Firth SPA; and 2) measure such as adherence to the Scottish Marine Wildlife Code, and the WiSE scheme to help avoid, for example, rafts of birds on the water surface.

Amend the Developer Requirement for a Hydro-Dynamic to specifically reference that only suitable development should be taken forward in light of the Dynamic Coast 2 and coastal flooding predictions (assumed).

Port of Cromarty Firth (1178440)

Extend the allocation boundary beyond the bridge as per the attachment [*].

Port of Inverness per G&S (1220786)

Expand the range of acceptable uses to specifically include port and marine use.

Extend the allocation boundary beyond the bridge as a future development phase (the attached Masterplan Vision [*] includes a map of the proposed extension).

Amend the Developer Requirement that states ‘Construction Environmental Management Plan to include assessment and mitigation of noise and other impacts on residents on west bank of River Ness’ to simply state that a ‘Construction Environmental Management

Plan is required’.

Requests that the statement requiring an Operational Environmental Management Plan is amended to an ‘Environmental Management System’.

Remove reference to ship to ship transfers in the Developer Requirements.

SEPA (906306)

Amend the list of acceptable uses to Industry, harbour business and water compatible cultural and tourism.

Amend the flood risk aspects of the Developer Requirement to “Flood Risk Assessment and hydrodynamic modelling to demonstrate that proposed development will not increase flood risk onsite or elsewhere in the firth as a result of narrowing of the channel and to determine suitable ground and floor levels taking into consideration climate change. Results of these assessments could limit the extent to which the allocation can be developed. Only Operationally Essential or Water Compatible Uses acceptable (as defined by the SEPA Land Use Vulnerability Classification) in areas at risk of flooding.”

Amend the allocation boundary to significantly reduce the scale of land reclamation to limit the potential of introducing a large number of people into an area that is known to be at significant risk of flooding.

INC07: Stadium Road West

SEPA (906306)

Remove all reference to dredging, land reclamation and assessment of hydrodynamic impacts from the Developer Requirements.

Remove one of the references within the Developer Requirements to foul and surface water drainage.

INC07: Stadium Road West & INC08: Stadium Road East

Alan Ogilvie (1254978)

Removal of allocation INC07: Stadium Road West and INC08 Stadium Road East from the Plan.

Brucefields Family Golf Centre per Suller Clark (1219975)

No modification sought.

INC08: Stadium Road East

SEPA (906306)

Remove all reference to dredging, land reclamation and assessment of hydrodynamic impacts from the Developer Requirements.

INC09: Former Longman Landfill West

NatureScot (1266529)

Add a Developer Requirement for protecting the features of the Longman and Castle Stuart Bays SSSI and SPA.

Add a Developer Requirement that green and blue networks are linked up with those in the adjacent INC11, and that mitigation for badgers includes wildlife corridors to provide continued safe access between the two proposed sites.

SEPA (906306)

Remove all reference to dredging, land reclamation and assessment of hydrodynamic impacts from the Developer Requirements.

INC09: Former Longman Landfill West & INC11: Former Longman Landfill East

A MacInnes (1311897), Anne Jackson (1312024), Balloch Community Council (1271483), Calum Maclean (1261259), Chrissy Dewhurst (1312247), Christine Farrar (1312491), Dennis Tracey (1312010), Jay Wilson (1312506), Natalya Oram (1312414), Richard Newmark (1064730), Robyn Barrett (1312309) Steve North (1263190), Sue Tracey (1323195), Thomas Plant (1312540)

Remove the allocation INC09: Former Longman Landfill West (Business, Industry, Temporary Stop Area for Travelling People uses) and replace it with an allocation which protects the area as publicly accessible green space, alongside small scale Tourism, Leisure and Recreational uses.

Thomas Prag (1260543)

Reduce the extent of the allocation to the area closest the A9 (undefined) and add Developer Requirements for built development to be low level and screening from the A9 (assumed).

Vanessa Halhead (1312418)

Remove the allocations INC09: Former Longman Landfill West and INC11: Former Longman Landfill East

INC11: Former Longman Landfill East

Anne Thomas (1323247)

Suggests an alternative power source to the proposed incinerator could be provided by anaerobic digestion of herbal lays to provide gas for the gas grid. This has huge potential for decarbonising heat and providing good local jobs. A link to a draft local feasibility study has been provided.

Martin MacLeod (1311902)

Add a Developer Requirement that a path for cycles and pedestrians is required along the foreshore area of the former landfill site to connect Stadium Road with the truncated section of the Old Shore Road.

NatureScot (1266529)

Add a Developer Requirement for protecting the features of the Longman and Castle Stuart Bays SSSI.

Due to the potential for disturbance to qualifying interests, NatureScot advise that any improvements that would provide access to the Inner Moray Firth SPA and Longman Bay and Castle Stuart Bays SSSI would risk undermining the integrity of these protected areas. Therefore, along with including mitigation for the Longman and Caste Stuart Bays SSSI in the assessment, these likely significant effects on the SSSI and SPA should be taken into account as part of the SEA, and that the mitigation is specifically highlighted and reflected within the Developer Requirements.

SEPA (906306)

Amend the land raising / hydro-dynamic aspect of the Developer Requirement to "No landraising with the functional flood plain or application supported by hydrodynamic

assessment to demonstrate will not have impact on flood risk of coastal processes elsewhere.”

INC06: Harbour Gait, INC07: Stadium Road West, INC08: Stadium Road East, INC09: Former Longman Landfill West & INC11: Former Longman Landfill East

Maureen Tait (1196550)

Change the acceptable uses of INC06, INC07, INC06, INC09 and INC11 from Industrial and Business to Leisure, Tourism and Housing uses (assumed).

Summary of responses (including reasons) by planning authority:

Inverness City Spatial Strategy & Placemaking Priorities

Alison Matheson (1323245)

The Council agree with the three priorities highlighted by the respondent and the Plan takes steps to deliver them. New policies are proposed which provide greater protection for and promotion of greenspaces (Policy 4: Greenspace and Policy 5: Green Networks) and ensure that the transport hierarchy set out in the National Transport Strategy is imposed and sustainable transport options take precedence in decision making (Policy 14).

See Issue 20: Delivering Development & Infrastructure for a response to similar concerns about the lack of infrastructure provision.

In relation to safeguarding greenfield land, whilst this is a laudable and environmentally sustainable objective, it is impracticable to restrict development to brownfield land only given the relatively small number, availability and economic viability of many brownfield sites within the Plan area. The Plan allocates several larger brownfield sites particularly within the centres of the main settlements but all face “effectiveness” challenges. To date, the volume housebuilders have not refurbished or redeveloped any large brownfield site within the Plan area for housing development without some form of public or landowner subsidy.

Inverness College UHI per Montagu Evans (1271524)

The first City-wide Placemaking Priority “Support the regeneration of Inverness City Centre by directing footfall-generating uses there and by preventing an increase of out-of-town retail development” reflects the policy position set out within Policy 6: Town Centre First. It directs all footfall-generating uses to the designated town centres. As noted within the policy “Th[e] sequential approach does not apply to proposals which meet the specified uses and developer requirements of site allocations located within designated town centres.” Site allocation INC05 lies within the Inverness Town Centre and therefore development which is delivered in line with the Developer Requirements is expected to accord with the Placemaking Priorities and Policy 6.

Development proposals in Inverness will be considered against both the City-wide and relevant area Placemaking Priorities. Neither will automatically take precedence but inevitably some will be more important and pertinent to certain proposals over others.

Lidl per KHP (1312411)

The Council recognise the need for certain facilities and services which generate significant footfall to be located within neighbourhoods to ensure 20 minute communities, for example a neighbourhood shop and pharmacy. Proposals for uses such as new supermarkets are not typically supported in locations outwith the designated town centres.

Policy 6: Town Centre First already provides a degree of flexibility for footfall generating uses which serve discrete neighbourhoods: *“Developers need to consider how appropriate the nature of their proposal is to the scale and function of the centre within which it is proposed. Exceptions may be made for any ancillary uses that support existing and proposed developments.”*

The numbering of the Placemaking Priorities is simply to assist with referencing them, much like the paragraph numbering. The numbering given to the Policies is more important and ensures that they are properly referred to and considered in the context of the Development Plan as a whole.

Accordingly, the Council believes the Plan’s content should remain unaltered in respect of these issues.

Meadhbh Maguire (1312382)

The Plan's Spatial Strategy, and in particular its Settlement Hierarchy, sets out a strategic view on where future growth should occur. It proposes a more focused approach, targeting future growth at locations which will minimise the impact on climate change and contribute towards post pandemic economic recovery. Key considerations include: environmentally sustainable transport choices; where infrastructure network/community facility capacity either exists or can be created at least cost to the public and private sector; and where existing commercial and environmental assets can best be protected and enhanced whether this is safeguarding and improving the viability and vitality of our town and city centres or our natural, built and cultural heritage. Put simply, the Plan proposes to direct development to the most economically viable and environmentally sustainable places.

The Plan also promotes mixed use communities and Policy 7: Industrial Land, stating “Small scale industrial units (Class 4, 5 and 6) between 40 to 100m² will be encouraged as part of large residential developments (30 units or more) as a means of providing mixed communities with local employment/enterprise opportunities”

The Plan also introduces a new transport policy (Policy 14) which places far greater focus on sustainable forms travel.

Accordingly, the Council believes the Plan’s content should remain unaltered in respect of this issue.

Network Rail (1312503)

Support for the Plan position noted.

Port of Inverness per G&S (1220786)

As set out in the response within Issue 11: Renewable Energy & Policy 7 Industrial Land, the transformational potential which the green energy industry can have for the region is recognised, alongside the Council’s support for the work of Opportunity Cromarty Firth (OCF) and its bid for Green Freeport status. It is acknowledged that there is no explicit reference to the Council’s support for these opportunities within either the City-wide or Central Inverness sections. It is also noted that one of the three sites submitted by OCF within their Green Freeport bid incorporates Inverness Harbour, the former Longman landfill and through to the UHI Inverness Campus [*],

Given that the economic and regeneration benefits for the City would be significant, and

to make the Inverness section more consistent with the Invergordon section and Nigg EDA (where the other two Green Freeport bid sites are located), it is suggested that reference could be added to the City-wide settlement text (e.g. before the final paragraph #175) along the lines of:

“As indicated in 'Employment | Ag obair', the Cromarty and Moray Firths are ideally placed to be at the centre of the global green energy transition. To capture lasting employment and regeneration opportunities for the region and maximise the benefits a cross-sector partnership called Opportunity Cromarty Firth (OCF) has been formed. To help ensure the area's competitiveness and deliver the full potential, OCF have bid for Green Freeport status. One of the sites put forward incorporates Port of Inverness, the former Longman landfill and UHI Inverness Campus.”

However, as explained further in Issue 11: Renewable Energy & Policy 7: Industrial Land, at the time of preparing the Schedule 4s for committee the Council continues to await the announcement on Green Freeport status – it is understood to be imminent. This decision will have huge implications for the region and for the Plan itself (there are several references in the strategy section and supporting text for relevant Main Settlements and Economic Development Areas). To ensure that the Plan can align with the priorities in the most appropriate way, the Council would welcome the opportunity to engage with the Reporter during the Examination process when the announcement is expected to have been made and when further information becomes available on the implications for the area.

Inverness Central General

Anne Thomas (1323247)

The former Longman landfill has been identified as a strategically important site in Inverness for decades and has potential to deliver a range of much needed land uses. The land is allocated for waste management, energy, commercial and community/open space uses in HwLDP (2012) under Policy 5. This position was carried forward within the adopted IMFLDP (2015).

In 2017, the Inverness and Highland City-Region Deal was agreed between UK and Scottish Governments and The Highland Council which identified as a central project the remediation of parts of the landfill and redevelopment for commercial uses. Ongoing discussions have since taken place with NatureScot and SEPA regarding the protection of the existing badger population and de-licencing of the landfill. The initial view is that up to 25% of the site (10ha) will be developable within the foreseeable future.

As noted in The Employment section of the Plan and responses provided within Issue 11: Renewable Energy & Policy 7 – Industrial Land, the need for additional land for industrial development remains and failing to address the issue could pose a significant risk to the region's economic growth. Whilst the Plan highlights that the former Longman landfill offers a chance to address this it recognises that only a limited part of the landfill is developable and that it only forms part of the solution.

Accordingly, large parts of the site would not be developed and significant opportunity remains for enhanced areas of greenspace. The long term aim is to create high quality amenity and recreational spaces within enhanced green corridors and accessible and attractive waterfront connections. Further engagement and more detailed analysis of the contamination issues, health and safety implications, environmental concerns and suitable de-licencing will be necessary.

Policy 15: Development Briefs specifies that a Longman Landfill Development Brief is to

be prepared for the area. This will provide an opportunity for all interested parties to be involved in shaping a framework for the future of the site and balance the competing interests. This is likely to cover issues such as identification of developable areas and acceptable land uses, greenspaces to be safeguarded and enhanced, phasing, transport and access arrangements and environmental mitigation.

Inverness Central Placemaking Priorities

Donald Begg (1312031)

The Placemaking Priority to “Embed walking and cycling as the logical choice and easiest way to make every day journeys, including delivering active travel...” reflects the National Transport Strategy’s transport hierarchy, which places active travel and other more sustainable forms of transport before private vehicles. This is also reflected in Policy 14: Transport of the Plan which seeks to embed sustainable transport principles within all development proposals. Accordingly, the Council believes the Plan’s content should remain unaltered in respect of this issue.

Iain Nelson (1323043)

Support for the Plan position is noted.

Inverness College UHI per Montagu Evans (1271524)

It is not considered necessary or appropriate to state that development proposals across the INC05 area will ultimately be led by market interest and will be subject to economic viability considerations. Proposals which emerge may well be market led but the consideration of their suitability will be based on a wider range of issues, economic viability being one of them. Accordingly, the Council believes the Plan’s content should remain unaltered in respect of this issue.

Network Rail (1312503)

The strategic importance of the rail station and the surrounding area for the city’s future is recognised. The Council along with other partners have had ongoing engagement and collaboration with Network Rail to formulate ambitious plans for the transformation of the area, including radical alterations to the rail infrastructure and the land uses across sites allocation INC03 and INC04. The request by Network Rail to better acknowledge this work and promote the wider ambition within the Plan is therefore considered reasonable. If the Reporter is so minded, then the Council would support the following additional Placemaking Priority being added along the lines of: *“agree a masterplan for allocations INC03 and INC04 and surrounding area which sets a bold new vision to deliver a modern and efficient integrated transport hub and transform this underutilised part of Inverness.”*

Port of Inverness per G&S (1220786)

Whilst the supporting text for Central Inverness makes reference to the aim of “... establishing new, and enhancing existing, connections with the city’s coastline from the River Ness downstream to the Moray Firth”, it is recognised that explicit reference is not made to the harbour area nor does it feature within either the City-wide or Central Inverness Placemaking Priorities. If the Reporter is so minded, the Council would support a statement along the lines as that shown in italic text below being added to the end of the paragraph suggested above relating to OCF, so it read: “... OCF have bid for Green Freeport status. One of the sites put forward incorporates Port of Inverness, the former Longman landfill and UHI Inverness Campus. *This part of the city offers the chance to deliver a mix of uses, provide a range of employment opportunities and create a world class river and firth setting.*”

Rebecca Fretwell (1324100)

The Plan already makes reference to active travel and improving connections along the coastal edge and the Development Briefs for the city also make reference to high quality development along the waterfronts. Taking account of this, it is recognised that there is merit in highlighting this within a single Placemaking Priority. Therefore, if the Reporter is so minded, then the Council would support the following statement being added as a City-wide Placemaking Priority: "Redevelopment and regeneration along the water frontages must contribute positively towards the landscape, enhance the environment and improve accessibility wherever possible". This would also address comments submitted in relation to Longman landfill site (INC09 and INC11) below.

It is not possible for the Plan itself to introduce traffic management measures such as that suggested. These need to be led by the Roads Authority and taken through the formal channels and processes. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Steve North (1263190)

See the responses above relating to the justification and context for the commercial allocations along the coastal edge and the suggested addition Placemaking Priority.

INC01:Diriebught Depot

Fiona MacBeath (929534)

Transport

The site has potential to deliver an infill development in an well established and relatively central part of the city. As such, there are a range of facilities within active travel distance of the site. The impact on the road network will need to be considered further as part of the masterplanning and application process. Although the level of trips generated is expected to be less than the existing uses, given the scale of the proposal (a 'major' development), it is likely that a Transport Assessment will be required to model the impacts and then identify suitable mitigation. This will essentially be one of the key considerations for informing the final development potential of the site. To help clarify this, if the Reporter is so minded, then the Council would support the inclusion of a Transport Assessment within the Developer Requirements. This could be merged with the existing transport requirements to read: "Transport Assessment, including details of active travel permeability being maximised (direct active travel links to Fraser Park; Diriebught Road and Kingsmills Road). Reduced car parking standards are acceptable on site with demonstration of appropriate alternative public transport and active travel mitigation."

The mature trees bordering the site are important for a variety of reasons and as such there is already a Developer Requirement to "Protect and enhance existing woodland and individual trees, create new woodland where opportunities exist."

Fraser Park

The allocation does not include any part of Fraser Park.

Proportion of affordable housing

Local and national policy promotes the delivery of mixed use, and sustainable communities. The Council has a minimum requirement of 25% of total housing being affordable in areas of need. As part of this plan review, the Council is supporting that be raised to 35% in Inverness due to the ongoing challenges with delivering sufficient affordable housing. It is most appropriate that the mixture of affordable and

private/mainstream housing for this site be assessed as part of the planning application stage.

Infrastructure

Although the Plan seeks to promote development opportunities in areas which have greater infrastructure capacity, certain areas, including Inverness, remain the focus of where people want to live.

In relation to infrastructure, in line with the Draft NPF4's the Council has sought put infrastructure considerations at the heart of the Plan review. Engagement has taken place throughout the process with relevant internal Council services, along with relevant external partners to assess the impacts and the necessary infrastructure improvements required to accommodate the proposed development. The main infrastructure and mitigation measures required have been addressed within the Plan itself, i.e. covered by general policies, Placemaking Priorities, Developer Requirements and the associated Delivery Programme [*]. The Environmental Report [*] and Habitats Regulations Appraisal [*] have also been key to this process.

See Issue 13: Delivering Development and Infrastructure for more detail on the Council's response to concerns regarding infrastructure needs and delivery.

Karen Munro (1311058)

Addressing the points raised in order:

- 1) The indicative housing capacity is an initial view on how many housing units a site could accommodate. It is based on a high level assessment of the developable areas and constraints such as topography and any necessary setbacks. Further consideration of these issues inform the final layout and decisions on the suitability.
- 2) There is a requirement to undertake a flood risk assessment – it will consider the impacts of development on the wider water environment, not just that within the site.
- 3) The 6m buffer between development and watercourses is a standard minimum which is identified in HwLDP [*]. The measure is taken from the edge of built development to the top of the bank of any watercourse / waterbody (including land drains).
- 4) More detailed assessment of the site and issues, such as impacts on the amenity of adjoining properties, will be undertaken at planning application stage and will inform the design and site layout.
- 5) All supporting information for a planning application will be available to the public to view on the eplanning portal.
- 6) There is already a requirement for a protected species survey to be undertaken – it will determine whether bats are present and any suitable mitigation.
- 7) The contaminated land Developer Requirement highlights the need for assessment of the issue and any necessary mitigation to be delivered.
- 8) See the response above on transport issues.
- 9) No planning application has been approved as yet. However, an allocation in the local development plan will establish the Council's support in principle, subject to addressing the Developer Requirements.

Rebecca Fretwell (1324100)

Impacts of development on the school estate have been considered as part of the Plan review. The Delivery Programme which is associated with the Plan sets out the infrastructure projects which are needed to accommodate development and those which

developers are required to contribute towards. In this case, a major extension is required to Millburn Academy. See Issue 13: Delivering Development and Infrastructure for more detail on the Council's response to concerns regarding infrastructure needs and delivery.

No development is proposed at Fraser Park. The transport issues/options suggested appear reasonable but will need to be considered further through a Transport Assessment and at masterplanning/application stage.

Tracey Phillips (1312547)

See the responses above which address concerns regarding scale of development, transport and amenity impacts.

INC02: Porterfield Prison

Fiona MacBeath (929534)

As a prison with about 100 inmates the site already attracts and generates vehicular traffic. The net change in traffic from conversion to 30 residential units will be considered further at planning application stage. However, it is not expected to lead to significant traffic issues, possibly with a net decrease. Also with increasing emphasis on modal shift, being centrally located, a higher amount of active travel trips are expected. This is reflected by the Developer Requirements noting that lower car parking standards maybe acceptable.

JH Pension Trustees per Galbraith & AF (1312525)

Support noted for the conversion of the site.

The proposed expansion of the site is considered to have merit. Given the proximity and historic nature of both sites, and the apparent availability of Reay House for repurposing, there is benefit in promoting the development opportunity as a single entity. Although the conversion would likely be acceptable given the nature of the main building and surrounding area, its inclusion within the allocation would also help to ensure the Developer Requirements and impacts are also considered against Reay House both individually and cumulatively with Porterfield. If the Reporter was so minded, then the Council would support the expansion of the allocation as per the attached map [*].

Rebecca Fretwell (1324100)

See the response above which addresses concerns about the transport network.

The Council's general planning policies including Policy 75 Open Space and the associated Open Space in New Residential Development: Supplementary Guidance [*] ensure that developments provides suitable amenity and open space.

The prison is still operational and proposals for its disposal have not been formally progressed through the planning system. The aim of asset transfer is therefore not compromised by the allocation of the site.

INC04: Inverness Central

Jay Wilson (1312506)

The priority is already reflected in the Placemaking Priority included in the Plan: "Embed walking and cycling as the logical choice and easiest way to make every day journeys, including delivering active travel and public realm improvements across the city centre."

INC05: Shore Street City Centre Expansion Area

Inverness College UHI per Montagu Evans (1271524)

See the response above relating to comments about how interest from the market will be balanced against other considerations.

It is highlighted that the allocation already provides significant flexibility, supporting a wide range of uses including Housing (up to 200 units), Business, Retail, Industry, Community. In addition, given the prominence of the site – forming a key gateway into the city – and it's ability to transform the region, setting a precedent for wider redevelopment of the area, it is not appropriate to specify that a single use development will be acceptable. As the former Campus faces key vehicular routes through the city (including the A82 trunk road), active frontages will be very important. In the case of a residential led scheme, a commercial use may also be more appropriate on the ground floor. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

The indicative housing capacity is an initial view on how many housing units a site could accommodate. It is based on a high level assessment of the developable areas and constraints such as topography and any necessary setbacks. Further consideration of these issues inform the final layout and decisions on the suitability. Given the scale and nature of the allocation, the capacity shown is more of indicative than other sites. Future plan reviews may need to adjust the indicative housing capacity to response to the pace and nature of redevelopment.

The Inverness City Centre Development Brief (ICCDB) is adopted Supplementary Guidance and as set out in the opening paragraph of the document, it "promotes and guides opportunities for development, regeneration and enhancement of Inverness city centre." Given the scale and nature of the allocation and how it forms part of the vision for the City Centre and Longman area, the Council recognise that a degree of flexibility is necessary at times.

The point regarding proportionality in terms of requiring a "development brief ahead of statutory preapplication submission" is recognised. Very small developments would not be required to undertake a development brief. However, it is expected that, given the scale and nature of the site at present, most redevelopment proposals are likely to be significant, e.g. 'major' developments. It is therefore considered best to retain the require is presented in the Plan and consider the scope of the work against the nature of individual proposals. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

INC06: Harbour Gait

Cara Thompson (1269104), Christopher Howard (1312404), Kevin Robertson (1312480), Mary Fulton (1312330), Jane Arnold (1323187), Peter Young (1271496), Richard Cole-Hamilton (1271499), S Shaw (1263105), Steve North (1263190), Sue Blaney (1270621), Susan Bowes (1312285), William Paterson (1312493)

Addressing the grounds of objection as per the numbering above:

- 1) Amenity – Whilst the landscape, visual and general amenity (noise, vibration, light etc) impacts of the proposed expansion will be carefully assessed, they are not expected to cause significant adverse effects for the residential of North Kessock given the distance separating them and the fact that Inverness Harbour is already a busy port. Also, the presence of the Kessock Bridge creates a fairly constant background noise. Nevertheless, it is recognised that the Developer Requirement for a "Construction Environmental Management Plan to include assessment and mitigation of noise and other impacts on residents on west bank of the River Ness"

is not the most appropriate place to highlight these issues. If the Reporter is so minded, the Council would support the removal of the part “to include assessment and mitigation of noise and other impacts on residents on west bank of the River Ness” and replacing it with a separate Developer Requirement, along the lines of “noise impact assessment (considering both construction and operation impacts) and any other related impact assessments such as that relating to air quality, light, odour and vibration, including consideration of impact on surrounding properties/communities.”

At present, the edge of built development around the Harbour and Longman is industrial and dominated by vehicular transport infrastructure. The vision expressed by respondents for Inverness Harbour and surrounding area aligns with that of the Council insofar as delivering a mixed use city quarter which embraces the waterfront. It is recognised that the last phase of land reclamation did not deliver this vision and has resulted in hard landscaping and a frontage of units occupied by mostly trade counter builders merchants. With a finite/limited potential for further land reclamation it is apparent that future development must deliver the wider aims.

- 2) Water – As part of the Examination on the adopted IMFLDP, which considered a similar proposal to expand Inverness Harbour, SEPA accepted that it is likely to be possible to address the risk of flooding to the site itself with significant landraising. SEPA was also not overly concerned about the potential loss of flood plain storage, as this would be negligible in comparison to the volume of the sea. However, SEPA sought to ensure that the development adjoins land which is outwith the functional flood plain so that safe access and egress is available. Another consideration was that any watercourses or piped discharges at the shoreline which will be lost due to land gain. Whilst the existing Developer Requirements were developed with input from SEPA as part of the plan review, further refinements have been suggested by SEPA below which better address these issues.
- 3) Environment – It is recognised that the harbour and firths are sensitive environments, however, the Developer Requirements set out in the Plan have been prepared in collaboration with NatureScot and SEPA and will ensure that the impacts on the environment are fully assessed and suitable mitigation (which may impact on the developable areas) is delivered.
- 4) Policy – The sensitivities of the expansion of the harbour are recognised and the requirements set out in the Plan will ensure that it is delivered in a way which does not adversely impact on the landscape nor effect the integrity of the surrounding environment. The Environmental Report [*] and Habitats Regulations Appraisal [*] were prepared in collaboration with the relevant key agencies and have informed the mitigation in the Plan.
- 5) Demand – The Employment section of the Plan (see pages 50-57) sets out there is a significant shortage of industrial land in the region and it poses a risk to economic growth. Whilst it is noted that industrial development forms only part of the plans for Inverness Harbour, it can help address this shortage to some extent.

In relation to the other issues raised:

- 1) This has been addressed in the above response.
- 2) All maps are digitally generated using the same data source so will accurately represent settlement and site boundaries.
- 3) For the reasons outlined above, the allocation is recommended to be retained. The exact scale of expansion, uses and layout will be determined through further masterplanning and more detailed assessment work.

Jamie Hogan (1311676)

Support for the Plan position is noted.

Jay Wilson (1312506)

For the reasons set out above, the Council does not consider it appropriate to remove Business and Industrial uses from the list. Nevertheless, further land reclamation is not being supported purely to expand the existing adjoining commercial uses, e.g. trade counter occupiers. To avoid this situation, if the Reporter is so minded, the Council would support the following amendment to the list of uses (emboldened text would be added):
“Industrial and Business (harbour related only), Retail...”

Taking the above into account and given the importance of the site for the future of Inverness (in terms of generating economic activity, it's impact on the landscape and setting of Inverness and potential environmental effects), there is value in a more open and inclusive masterplanning process. Therefore, if the Reporter was so minded, the Council would support the inclusion of a Development Brief within the list of Developer Requirements. The wording of this should be the same as other examples in the Plan, i.e. “Developer to prepare Development Brief ahead of statutory pre-application submission. Engagement Strategy (to describe how the community, Council and other relevant agencies will input) to be agreed by the Council in advance of preparation of Brief. Delivery Plan (to specify the timing, location and funding of supporting infrastructure) to be included in Brief. Council may adopt Brief as Supplementary Guidance. Brief must address: ...”

NatureScot (1266529)

The Council recognise the value in the amendments suggested by NatureScot. Therefore, if the Reporter is so minded, the Council would support the following amendment to the Developer Requirement (emboldened text would be added):
“Recreational Access Management Plan including consideration of water based activities and need to avoid disturbance to the qualifying features of Moray Firth SAC and Moray firth SPA, adherence to the Scottish Marine Wildlife Code, and the WiSE scheme”

In addition, the Council would support the amendment to the Developer Requirement (emboldened text would be added):: “hydro-dynamic assessment of impacts of altered flows on sediment movement in relation to sub-tidal sandbanks (only suitable development should be taken forward in light of the Dynamic Coast 2 and coastal flooding predictions)”

Port of Cromarty Firth (1178440)

The Port of Inverness is a member of Opportunity Cromarty Firth (OCF) and is one of the key landowners within the consortium. The Port of Cromarty Firth in their role as key facilitator of the OCF bid for Green Freeport status request that the Plan reflect the content of the bid, including the allocation of the proposed ‘tax sites’. In the case of Inverness Harbour, this is an expansion beyond what is set out in the Plan, to include the intertidal zone to the north east of the Kessock Bridge which lies within Port of Inverness’ ownership (approximately 10 ha). As per the submission by Port of Inverness to the Call for Sites [*], the vision as set out in the Masterplan for this area is the creation of a new marina which increases capacity from 150 vessels at the current site to 250 vessels and additional storage space for vessels. The Masterplan states that this will help to address existing capacity pressures, attract a wider variety of vessels and allow for complementary uses. The existing marina is then proposed to be filled in and, as part of wider land reclamation would be used for other purposes, including servicing the onshore

renewable energy sector, in particular the Red John Hydro and Coire Glas schemes, both of which would benefit from direct water access.

The response within Issue 11: Renewable Energy & Policy 7 Industrial Land, recognises the transformational potential which the green energy industry can have for the region, and justifies the Council's support for the work of OCF and its bid for Green Freeport status.

The Council also recognise the strategic importance of Inverness Harbour and the significant contribution it already makes to the economy of the Highlands. The proposals by Port of Inverness continue on from the 9 hectares of land reclaimed from the sea in 2008 and recent investment to open up Shore Street Quay. The project also ties in with the Longman former landfill site and adjacent roundabout which have received £60m of City Deal funding.

The Port Authority has a harbour revision order in place which allows them to largely pursue its development aspirations for harbour related development without the need for express planning permission. However planning permission would be required for non-harbour related development. A Marine Licence application would be required and an EIA will almost certainly be necessary, with the scope likely to include assessment of, amongst other issues, landscape and visual impacts, effects on the marine environment and impacts on the transport network. In any case, the development plan should ideally describe the major development proposals in the plan area to give a full picture of expected development activity and so as to properly consider cumulative impacts. If the port is to expand, it would therefore be preferable for this to be described in the Plan.

In addition, as set out in the Renewable Energy section of the Plan, the Council is open and willing to preparing Masterplan Consent Areas for sites within a Green Freeport – as indicated by the Scottish and UK governments in the joint prospectus [*] - as a means of front loading the planning system. If such a framework taken forward for this site, it would provide another, more formal opportunity for stakeholders (such as key agencies) to input and for further public scrutiny. If awarded Green Freeport status and the benefits and development opportunities are accelerated, the Council will monitor whether there is value in a review of the Local Development Plan within the next 5 years to reassess the strategy and supply and demand land use pressures. However, with crucial investment decisions relating to ScotWind being made in the short term the Plan is expected to have significant influence in shaping the future of the area. Whilst Inverness Harbour is not identified as a future manufacturing hub, it is expected to undertake other and complementary projects in the same sector but which do not require such large laydown areas (for example anchor chains and mooring). It is apparent that the misalignment of the Development Plan with industry needs may risk such investment being lost from Scotland altogether.

Taking into account the above response (and that within Issue 11: Renewable Energy & Policy 7 Industrial Land) and noting the clear support provided by the Full Council Committee [*] for the proposals set out by OCF, the Council suggests to the Reporter that the boundary of the allocation is amended to reflect that of the Green Freeport bid [*]. If the Reporter is so minded to amend the allocation boundary, it is also suggested that a Developer Requirement is added to ensure that further assessment and engagement is undertaken to determine suitable developable areas. This could be along the lines of: "exact developable areas to be determined through a masterplanning process with further input from and early engagement with key agencies and other stakeholders".

In addition, and as outlined in greater detail within Issue 11: Renewable Energy & Policy 7 Industrial Land, to ensure that the Plan can best align with the priorities in the most appropriate way, including in relation to the key site allocations, the Council would welcome the opportunity to engage with the Reporter during the Examination process when the announcement is expected to have been made and further information becomes available on the implications for the area.

Port of Inverness per G&S (1220786)

See the response above for the response to the request to enlarge the allocation. Letters of support submitted in support of the proposals are noted.

Given the nature of the proposals and allocation the request to expand the range of acceptable uses to specifically include port and marine use is considered reasonable. If the Reporter is so minded, then the Council would support 'port and marine' uses being added.

In relation to the request to amend the Developer Requirement relating to the Construction Environmental Management Plan, see the response above.

The request that the statement requiring an Operational Environmental Management Plan is amended to an 'Environmental Management System' is reasonable. However, it is suggested that it is most appropriate for both to be referenced. If the Reporter was so minded, then the Council would support the Developer Requirement being amended to read "...and Operational Environmental Management Plan (OEMP)/Environmental Management System (EMS)...".

The objection to the Developer Requirement relating to ship-to-ship transfers was derived in consultation with NatureScot and is deemed to be appropriate for inclusion. We do not therefore propose to remove the requirement from the Plan.

SEPA (906306)

To accord with national policy and ensure a precautionary approach to flood risk is taken, the Council would support SEPA's request for amendments to the list of acceptable uses and the relevant Developer Requirement. If the Reporter is so minded, then the Council would support the list of uses be amended to read "Industry, harbour business and water compatible cultural and tourism". In addition, the Council would support the Developer Requirement to be amended to read "Flood Risk Assessment and hydrodynamic modelling to demonstrate that proposed development will not increase flood risk onsite or elsewhere in the firth as a result of narrowing of the channel and to determine suitable ground and floor levels taking into consideration climate change. Results of these assessments could limit the extent to which the allocation can be developed. Only Operationally Essential or Water Compatible Uses acceptable (as defined by the SEPA Land Use Vulnerability Classification) in areas at risk of flooding."

It is not considered necessary to amend the allocation boundary to significantly reduce the scale of land reclamation as suggested because the inclusion of the wording above highlights that the developable areas will be determined by the Flood Risk Assessment and hydrodynamic modelling. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

INC07: Stadium Road West

SEPA (906306)

The Council note the fact the site is not on the coast and therefore the need for reference to dredging, land reclamation and assessment of hydrodynamic impacts is unnecessary and misleading. If the Reporter is so minded, then the Council would support the corresponding amendment to the Developer Requirements.

The Council also recognise the duplication of references to foul and surface water drainage within the Developer Requirements. To provide clarity, if the Reporter is so minded, then the Council would support the removal of the end of the first requirement: "avoids undue disturbance and that foul and surface water discharges are captured and treated to an adequate degree".

INC07: Stadium Road West & INC08: Stadium Road East

Alan Ogilvie (1254978)

The sites have been included in the Plan because it is believed that there is scope to better utilise the space. The western part of INC07 was previously used for overspill car parking and storage but has since been fenced off and largely unused. As the land lies within the settlement development area (SDA) and is not protected greenspace, there is a general presumption in favour of redevelopment. The allocation allows for any development proposals to be properly controlled and any adverse impacts to be assessed and mitigated.

Both sites clearly provide a vital function in terms of vehicle parking for the stadium with demand for spaces regularly outstripping supply on match days and during other events. To ensure that the redevelopment of the site does not cause a loss of parking provision, if the Reporter is so minded, the Council would support a Developer Requirement being added to both allocations along the lines of: "redevelopment of the site must not result in a net decrease of parking provision, any compensatory parking provision must be located in close proximity to the stadium, be easily accessible and have high quality active travel connections to the stadium".

Brucefields Family Golf Centre per Suller Clark (1219975)

Support for the Plan position noted.

INC08: Stadium Road East

SEPA (906306)

The Council note the fact the site is not on the coast and therefore the need for reference to dredging, land reclamation and assessment of hydrodynamic impacts is unnecessary and misleading. If the Reporter is so minded, then the Council would support the corresponding amendment to the Developer Requirements.

INC09: Former Longman Landfill West

NatureScot (1266529)

There is already mitigation derived from the HRA appropriate assessment covering the Inner Moray Firth SPA which includes reference to the need for a Recreational Access Management Plan.

Due to the size and nature of the allocation the Council recognise the value in highlighting the Longman and Castle Stuart Bays SSSI. If the Reporter is so minded, then the Council would support the inclusion of an additional Developer Requirement along the lines of "Demonstration of no adverse effect on the integrity of the Longman and Castle Stuart Bays SSSI".

As set out in the Developer Requirements, the Plan already recognises the importance of protecting, enhancing, integrating development of the site with existing green/blue networks. However, the point proposed by NatureScot in regard to the integration with the adjoining allocation and in relation to badgers is recognised. If the Reporter is so minded, the Council would support the Developer Requirement being amended to: “Protect, enhance, integrate with existing green/blue networks within the site and with those in the adjacent INC11 and that mitigation for badgers includes wildlife corridors to provide continued safe access between the two proposed sites.”

SEPA (906306)

The Council note the fact the site is not on the coast and therefore the need for reference to dredging, land reclamation and assessment of hydrodynamic impacts is unnecessary and misleading. If the Reporter is so minded, then the Council would support the corresponding amendment to the Developer Requirements.

INC09: Former Longman Landfill West & INC11: Former Longman Landfill East

A MacInnes (1311897), Anne Jackson (1312024), Balloch Community Council (1271483), Calum Maclean (1261259), Chrissy Dewhurst (1312247), Christine Farrar (1312491), Dennis Tracey (1312010), Jay Wilson (1312506), Natalya Oram (1312414), Richard Newmark (1064730), Robyn Barrett (1312309) Steve North (1263190), Sue Tracey (1323195), Thomas Plant (1312540)

Justification for allocation

The redevelopment of suitable parts of the landfill, which closed in 2003 after 60 years of operation, has formed a key part of the medium-to-long term growth strategy for Inverness for nearly 20 years. The older parts of the landfill, those closest to the Longman roundabout, have been allocated for a mix of uses in successive development plans. The land was allocated for waste management, energy, commercial and community/open space uses in HwLDP (2012) under Policy 5. The adopted IMFLDP (2015) allocated the north west section (which extends to 20ha) for Business, Industrial, Non-residential institutional and Temporary Stop Site for Travellers uses (reference IN8 Former Longman Landfill). The remaining area of 19ha was allocated for Industry (IN13 Former Longman Landfill).

In 2017, the Council agreed the Inverness and Highland City-Region Deal with the Scottish and UK governments which is a package of funding aimed at addressing the challenges facing the Region and to capitalise on some of its substantial opportunities. The City Region Deal is being implemented by a partnership between the Council, Highlands & Islands Enterprise (HIE), and other partners.

Government assistance for the redevelopment of the Longman landfill was one of the main projects agreed in the City Region Deal. The initiative involves carrying out land remediation of certain parts of the disused landfill (originally seen as up to 18ha) and site servicing works to release the site for development. As set out within the City Region Deal terms, the creation of additional business and industrial land would be created to directly address major shortages in the supply of such land. This will then also unlock significant new employment opportunities for the City and surrounding area, meeting the needs of both small and medium size businesses and those of larger inward investment companies.

Through the review of this Plan, it has been found that the supply and demand pressures still exist. As set out in the Employment section of the Plan (see pages 50-57), within the

industrial property market the supply of premises and land is constrained but demand remains high. A report on the Market Failures in the Commercial Property Market [*] found that without investment, this poses a major risk to the area's future competitiveness and could restrict economic growth. Whilst the Council is supporting certain parts of the former Longman landfill site for business and industrial uses, this alone will not meet all future needs. Inverness Airport Business Park (IABP), which is allocated for a mix of Business and Industrial uses (site reference IA01), will also help to address this issue. Whilst take up of sites at IA01 has improved in recent times, the build out has been slower than originally planned. The opening of the new railway station at Dalcross will better connect it with Inverness and may help to encourage businesses to expand and relocate there but demand is likely to remain high within Inverness.

The redevelopment of Longman landfill is also closely aligned with the Longman Interchange project which also forms part of the City Region Deal. Longman Interchange is a major road improvement which will deliver a new grade separated junction to replace the existing roundabout at the foot of the Kessock Bridge. In part, the new interchange is supported due to the fact it will unlock significant areas of land which, once remediated, will provide much needed capacity for industrial and office developments. The Highland Council continues to work closely with Transport Scotland to co-ordinate activities and share information and to finalise the land requirements for new interchange.

Energy Hub

The Council has considered the long-term options for its residual municipal waste for many years. Since 2019, four studies have undertaken which informed an options appraisal. This work is pressing given the ban on landfilling municipal waste comes into effect by the end of 2025. The preferred long-term option is to develop an Energy from Waste (EFW) combined Heat and Power (CHP) Plant at the Longman site in Inverness. This solution would not only deal with the need to comply with the landfill ban and lower associated carbon emissions, but also recover energy from waste for a range of uses.

The Council is also working on wider green energy opportunities for the former landfill. As set out in the report to Highland Council Committee on 28 October 2021, one of the Strategic Partnership Priorities for the Council is the establishment of Highland becoming an internationally leading hub for renewable energy. The report notes that opportunities for collaboration on this Strategic Partnership Priority include the development of a Green Energy Hub at the Longman.

These proposals are also reflective of the proposition set out in the Opportunity Cromarty Firth Green Freeport bid. As noted earlier in this Issue, one of the sites put forward in the bid extends from Inverness harbour, incorporating the allocations at the Longman (INC07, INC08, INC09 and INC11) and parts of the UHI Inverness Campus. The proposals for the Longman sites are focused around the creation of a Green Energy Hub, specially hydrogen.

In this regard, and as outlined above in relation to INC06: Harbour Gait and in greater detail within Issue 11: Renewable Energy & Policy 7 Industrial Land, to ensure that the Plan can align with the priorities in the most appropriate way, the Council would welcome the opportunity to engage with the Reporter during the Examination process. By that time the announcement on Green Freeport status is expected to have been made and further information made available on the implications for the area.

Environmental impacts

Being a disused landfill, extensive contaminated land survey work has been undertaken and is directly informing consideration of future uses. The Council recently received confirmation from SEPA that a formal partial surrender of the waste license has now been completed. The next stage is to carry out further intrusive site investigation works to ascertain the decontamination works necessary for the site to be serviced.

In terms of wider concerns about the impact on the environment, the Plan already identifies several Developer Requirements which ensure that environmental impacts will be fully assessed and suitable mitigation delivered, such as habitat survey, protected species survey, tree, woodland survey and mitigation deriving from the Habitats Regulations Appraisal process [*]. A great deal of work has also already taken place. In particular, the identification of suitable mitigation of impacts on the existing badger population which has been a key issue in determining the developable areas.

The Government assistance in redeveloping suitable parts of the site also offers a viable means of remediating this highly contaminated land and bringing it back into productive use. The prioritisation and remediation of the brownfield land also aligns with Council and national policy and helps to avoid development on greenfield land.

In terms of the development affecting the setting of the Kessock Bridge Listed Building, general policies ensure this impact would be taken into account. However, given the size of the allocation, if the Reporter is so minded then the Council would support the following additional Developer Requirement being added: "Respect the fabric and setting of the Kessock Bridge Listed Building".

Waterfront greenspace

The potential to create a development which makes the most of the waterfront location is recognised. Although development is being supported, the allocation covers a far larger area and is expected to offer long term potential for both built development and enhanced, publicly accessible green corridors. However, with some sections still in active use as a landfill until 2003, the contamination and toxicity levels mean that public access needs to be very carefully considered and managed. The Council is also supporting allocations at the harbour and adjoining the football stadium which allow for a wider enhancement of the area and connected green networks.

Being a gateway site to the city and beyond, it is recognised that it is important to ensure high quality design and layout. There is already a Developer Requirement to ensure that a masterplan will be prepared which should "determine a clear, well-defined settlement edge, including appropriate, high quality designed buildings and landscape". However, this could be amended to strengthen the consideration of the visual impacts. If the Reporter was so minded, then the Council would support it being amended to "determine a clear, well-defined settlement edge which enhances the gateway location, including appropriate, high quality siting and design and landscaping".

It is noted that some of the representations received which sought protection of the land at the Longman from development were not exclusive to allocations INC09 and INC11. Several respondents made more general comments about how the City doesn't make the most of the waterfront location and opportunities more widely across the frontages along in Longman. This point is recognised and is in part addressed in the response above. However, to capture the sentiment of the comments, if the Reporter was so minded the Council would support an additional related Placemaking Priority for Central Inverness. Consistent with the response above in Central Inverness Placemaking Priorities, this

could be along the lines of: “Redevelopment and regeneration along the water frontages must contribute positively towards the landscape, enhance the environment and improve accessibility wherever possible”.

Development Brief requirement

As already set out in Policy 15: Development Briefs, the Council is at the initial stages of preparing a Development Brief for the Longman. The Developer Requirements for INC09 and INC11 also highlight that the Council intend to prepare a Development Brief to “develop a cohesive and strategic approach to the development of the Longman area”. This work will be an important mechanism for discussing many of the issues and aspirations raised in representations to this consultation, and detailed site options in a more open and coordinated process. It will also require a range of public sector partners, alongside the wider community to input and help shape the content of the Brief.

Thomas Prag (1260543)

The issues raised have been addressed in the response above.

Vanessa Halhead (1312418)

The issues raised have been addressed in the response above.

INC11: Former Longman Landfill East

Anne Thomas (1323247)

The issues raised have been addressed in the response above.

Martin MacLeod (1311902)

The creation of a path network through the site forms part of the long term vision for the redevelopment of the landfill. Whilst the Plan already includes a requirement for “Active Travel improvements to connect site with Inverness city centre, including connections to emerging projects at Inverness Harbour and future Longman Roundabout improvements works” it does not explicitly refer to connections to the east of the city and beyond. To address this issue, if the Reporter is so minded the Council would support the following amendment to the Developer Requirements (strikethrough shows deletion of text and emboldened text is additional): “Active Travel improvements to connect site with Inverness city centre (including ~~connections~~ to emerging projects at Inverness Harbour and future Longman Roundabout improvements works) and through the site to East Inverness when appropriate”.

NatureScot (1266529)

There is already mitigation derived from the HRA appropriate assessment covering the Inner Moray Firth SPA which includes reference to the need for a Recreational Access Management Plan.

Due to the size and nature of the allocation the Council recognise the value in highlighting the Longman and Castle Stuart Bays SSSI. If the Reporter is so minded, then the Council would support the inclusion of an additional Developer Requirement along the lines of “Demonstration of no adverse effect on the integrity of the Longman and Castle Stuart Bays SSSI”.

As set out in the Developer Requirements, the Plan already recognises the importance of protecting, enhancing, integrating development of the site with existing green/blue networks. However, the point proposed by NatureScot in regard to the integration with the adjoining allocation and in relation to badgers is recognised. If the Reporter is so

minded, the Council would support the Developer Requirement being amended to: “Protect, enhance, integrate with existing green/blue networks within the site and with those in the adjacent INC11 and that mitigation for badgers includes wildlife corridors to provide continued safe access between the two proposed sites.”

SEPA (906306)

The concerns raised regarding land raising / hydro-dynamic by SEPA are recognised and, if the Reporter is so minded, then the Council would support the suggested amendment to the Developer Requirement to “No landraising with the functional flood plain or application supported by hydrodynamic assessment to demonstrate will not have impact on flood risk of coastal processes elsewhere.”

INC06: Harbour Gait, INC07: Stadium Road West, INC08: Stadium Road East, INC09: Former Longman Landfill West & INC11: Former Longman Landfill East

Maureen Tait (1196550)

The issues raised have been addressed in the response above.

Reporter’s conclusions:

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Reporter’s recommendations:

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Issue 37	East Inverness	
Development plan reference:	Section 4 Places, East Inverness Settlement, PDF Pages 231-245	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Balloch Community Council (1271483) Barratt North Scotland Ltd (1271335) Calum Murray (1310442) Carol Munro (1312270) Elizabeth Murray (1312271) Hazledene (Inverness Ltd) per Turley (1271225) Hercules Unit Trust (968628) per Burnett Planning Highlands and Islands Enterprise per Turnberry UK (1312431) Ian Barke (1310627) Joanna Matheson (1310461) Kirkwood Homes and 3A Partnership Limited per EMacPlanning (1312502) Macdonald Hotels (1312504) per Pegasus Group Martin MacLeod (1311902) National Trust for Scotland (1312459) Pat Munro (Alness) Limited per THE Architecture + Planning (1312301) Paul Bole (1252634) Robert Clinton (1323133) Sean Kelly per GH Johnston Building Consultants Ltd (1312507) Scottish Environment Protection Agency (906306) Springfield Properties Plc (1147956)</p>		
Provision of the development plan to which the issue relates:	Placemaking Priorities 21, Settlement Map 25 East Inverness. Development Sites, PDF Paragraphs 193-200	
Planning authority's summary of the representation(s):		
<p>Placemaking Priorities <u>Barratt North Scotland Ltd (1271335)</u> Objects to 4th priority as considers wording should be modified to allow for a modest southern expansion of the settlement boundary to incorporate a new residential-led location at Myrtlefield [*].</p> <p><u>Highlands and Islands Enterprise per Turnberry UK (1312431)</u> Inclusion of Inverness Campus in the placemaking priorities is supported.</p> <p>Settlement Map 25 East Inverness <u>Barratt North Scotland Ltd (1271335)</u> Respondent objects to the non-allocation of land at Myrtlefield for 300 homes for the following reasons: submission of additional sites for consideration at Main Issues Report</p>		

stage is acceptable given the timing of the respondent securing an option on the site, it is an early stage of the process and because of a lack of detail of the effectiveness of the housing land supply provided by the sites identified as preferred; site presents a logical and modest expansion, effectively infilling two fields, within a well-established residential area of Inverness, a masterplanned approach would create a new gateway approach to Inverness and deliver a sympathetic, successful place which makes a positive contribution to the area; free from major constraints including topographical, flood risk, natural heritage designations, quality and type of soils and listed buildings; preliminary development framework based on findings of Landscape and Visual Appraisal [*] ensures no significant impacts on Culloden Muir Conservation Area and Battle of Culloden Inventory Battlefield and potential to create a high quality residential development; Cultural Heritage Assessment [*] confirmed no previously recorded features within the site; dense woodland provides natural backdrop and visual containment to long range views of the site; location of site provides sustainable travel opportunities to local shops and primary school; potential for provision of road safety improvements and connections to active travel networks and bus services; capacity within Cradlehall Primary School for an appropriately phased development but willing to provide developer contributions to address any identified issues; willing to provide developer contributions towards any future of Culloden Academy extension/redevelopment; capable of connection to the public drainage network; respondent committed to carbon reductions; development would provide a mix of homes in terms of size and adaptability to meet specific requirements and could incorporate small scale local retail provision and commercial uses.

Respondent also considers that the site is effective as it is controlled by a single landowner and is under option to respondent who are a multi-award winning national housebuilder, it can be developed in the short term to augment supply of housing within the East Inverness corridor which is constrained by strategic allocations at Ashton and Stratton that require significant infrastructure and will take time to deliver; concerns over approach to housing supply, in particular that the IMFpLDP2 identifies a significant decrease in the housing land requirement compared to the aIMFLDP, that the open market share of the housing land requirement is far lower than past rates of completions, sufficient detail and evidence is not provided to allow analysis of effectiveness of the housing land supply, reliance on draft NPF4 in setting its housing land requirement given NPF4 is yet to be adopted as national policy and over reliance on existing strategic allocations at Inverness East to contribute to maintaining an effective 5 year land supply.

Respondent also supplied and makes reference to their detailed MIR submission, that included a Landscape and Visual Appraisal and Cultural Heritage Assessment and Homes for Scotland submission to the IMFpLDP2 that respondent contributed as a member of Homes for Scotland.

Hercules Unit Trust (968628)

Objects to the East Inverness Settlement Map not annotating Inverness Shopping Park as a commercial centre for the following reasons: no justification is provided for abandoning its commercial centre designation under aIMFLDP which recognises the role of Inverness Shopping Park as an important part of the established hierarchy of centres and as a preferred location for footfall generating uses compared to out of centre locations; no network of centres or sequential preference for commercial centres over out of centres locations is identified IMFpLDP2, this is contrary to the requirements of SPP and draft NPF4 Policy 24 and Policy 26; it is inappropriate for Inverness Shopping Park to be classified as out of centre location and given the same status as other out of centre locations because it is a preferred location for footfall generating uses compared given its

sustainable location easily accessible by a choice of sustainable transport modes and significant economic and community benefits; it is inappropriate for the requirements of development under the terms of IMFpLDP2 Policy 6 to be applied to Inverness Shopping Park; contrary to aim of IMFpLDP2 paragraph 38 which is to 'direct development to the most economically viable and environmentally sustainable places'; appropriate tests for significant footfall generating development at Inverness Shopping Park should be that it cannot be accommodated within or on the edge of the City Centre and that it would not have a significant adverse impact on the vitality and viability of the City Centre as a whole. This would ensure that the Park can continue its long established important role in delivering sustainable economic and community benefits, complementing the City Centre.

Kirkwood Homes and 3A Partnership Limited per EMacPlanning (1312502)

Objects to the non-allocation of the site identified as IN90: Land South of Drumossie Hotel (Business/Tourism uses) in the aIMFLDP and IN113 Drumossie in the IMFLDP MIR (Housing) for 80 homes and contraction of the aIMFLDP SDA at this location for the following reasons: principle of development on a significant part of the site was established in the aIMFLDP by its allocation for business/tourism uses and site has consent for a leisure and tourism complex in perpetuity (reference: 15/04049/FUL) and given current allocation and consent site was previously considered favourably by environmental assessments.

Respondent critiques many elements of the sites current Strategic Environmental Assessment site assessment and considers that the Council's understanding is lacking in significant areas of the merits of the site and many post mitigation scores are positive. In particular the respondent promotes the following environmental benefits of the site: no decrease in open space as site is currently grazing land and indicative layout illustrates [*] effective green networks; close to high capacity trunk road junction; provides opportunity for public transport accessibility, active travel and road safety improvements; willing to provide developer contributions towards increased infrastructure capacity, common with most developments; no adverse effects on natural heritage designations or scheduled monuments and locally important archaeological sites; any impacts on nearby listed Drumossie Hotel were mitigated as part of the current consent and the emerging housing layout takes account of its proximity; no adverse impact on local landscape given existing allocation in aIMFLDP and current consent, containment of views of the site and retention of boundary trees; any constraints relating to slope, aspect, flood risk, ground stability and vehicular access are being addressed through the Proposal of Application Notice and were taken into account in the consented scheme and a previous ecological survey recorded the potential presence of some protected species, a new survey is being carried out to allow proposals to provide local biodiversity enhancement through improved management of the natural environment and additional planting.

Respondent is critical of nearby Main Issues Report preferred site IN38 Bogbain West which is proposed to be allocated for housing despite being rated less favourably against sustainable transport and placemaking in its Strategic Environmental Site Assessment than the proposal site.

Respondent also asserts that site is effective in every aspect and provides details of a Proposal of Application Notice for 80 homes submitted in April 2022 and associated consultation events.

Proposed site layout [*] would ensure placemaking principles are met, including landscaped belt around the site, appropriate buffer to A9 trunk road, public art and

continuity of open landscaped frontage to the B9177. Would provide 80 residential units (including 20 affordable) and provide 38% of the site as open space.

Respondent also provided a summary of their IMFLDP2 Call for Sites submission and their Proposal of Application Notice consultation material, including location plan and current layout.

The Call for Sites summary provides details of the planning history of the site and reasons why the respondent considers it should be allocated for housing development. It explains that the site is currently arable farmland but benefits from planning consent in perpetuity for a mixed use tourism development and the vehicular access has been implemented. It requests for the site to be allocated for housing as the principle of development has been set but despite extensive marketing the consented use has not proven to be viable. It justifies housing use on the site for the following reasons: continued strong demand in Inverness, provision of additional housing choice and tenure, accessible location, delivery within first 5 years of Plan period with early phasing of affordable units. Asserts that site is effective as free from physical constraints, no contaminated land, no deficit funding, the site is marketable, free from infrastructure constraints, has no landownership issues, and the proposed land uses are being promoted through the emerging LDP.

Macdonald Hotels (1312504) per Pegasus Group

Requests an extension of the SDA to include the Drumossie Hotel and land to the rear to allow for the development of two residential apartment blocks, with 28 apartments in each for the following reasons: no evidence the methodology set out in the HwLDP (para 19.5.1) for defining SDAs was reconsidered in preparing IMFpLDP2; site is included within the SDA in the aIMFLDP, no evidence has been provided for the change in approach or the effects this may have; site is developable and meets criteria for falling within the SDA because it is not quality agricultural land, is in use as a hotel and neighbouring allocation aIMFLDP IN90 both provide development and investment opportunities as established by their planning history, landscape capable of accommodating development, infrastructure is or can be made available, no flood issues, no archaeological sites are currently recorded within the area and site can demonstrate it is or can be well connected by non-car modes of travel and buses already stop immediately in front of the hotel; pre-application advice for retirement apartment blocks (21/03923/PREMAJ) supported the principle of development but raised several detailed matters; landowner intends to submit a planning application on land to the rear of the hotel in the near future, its design solution is a two residential retirement blocks that takes into consideration pre-application advice and will be supported by a studies of technical studies, constraints will be addressed by suitable mitigation, including developer contributions if demonstrably required; site would be in the hinterland meaning that HwLDP Policy 35 Housing in the Countryside and Rural Housing Supplementary Guidance would apply which both set a presumption against housing in the countryside apart from limited exceptions; new retirement accommodation will help to meet the predicted increased demand for sheltered housing and specialist models as outlined in the Council's Housing Need and Demand Assessment 2020; IMFpLDP2's Strategic Environment Assessment does not give consideration to changes to the SDA boundary; SDAs should not be contracted to control future residential development in area, applicant aware of current proposals nearby that will be appropriately controlled through the development management process; adjacent aIMFLDP allocation IN90 has permission for a tourism and commercial/leisure complex, its most recent permission (reference: 17/01011/S42) was advised by the Council's Transport Planning Team that the development provided for new pedestrian connections to local bus services, and proposal for operating a mini bus shuttle service if there were no service buses in the vicinity of the

site and the Drumossie Hotel was previously granted permission for a significant extension.

National Trust for Scotland (1312459)

Asserts that along with Urquhart Castle, Culloden Battlefield is a key visitor attraction in the area, but very limited reference is made to it in the Plan and how cultural assets economic and communal value will be considered. Therefore concerned that Culloden Battlefield will not be properly considered in the planning process.

Considers sense of place should be given a higher priority to provide a greater balance with environmental sustainability and economic viability in developments. Requests that sense of place is expressly mentioned by inclusion of map that illustrates areas of cultural significance as a facility to the area in cooperation with Historic Environment Scotland, Council's Historic Environment Team and National Trust for Scotland who have undertaken landscape impact analysis.

Also important to safeguard against over-tourism as this can result in strains on infrastructure and adversely affect a sense of place.

Pat Munro (AIness) Limited (1312301) per THE Architecture + Planning

Respondent objects to non-allocation of site identified as IN110: West of Blackpark Farm in the MIR site for 35 homes because: housing land requirements do not take account of wider economic, social and environmental factors as required by SPP; allocations in IMFpLDP2 do not meet its strategy of directing growth to Tier 1 settlements; IMFpLDP2's strategy to meet housing land requirements is not sufficient, carried forward strategic allocations at Inverness East, Ness-side and Inverness West are programmed for delivery beyond the Plan period and therefore will not contribute towards the housing land requirement for the 10 year period; necessary to supplement allocations in Inverness to ensure a flexible and effective supply of housing land; proposal would positively contribute towards range of housing options in Inverness; proposal is in a sustainable location and would respect existing character of development as presented in the indicative layout; would provide pedestrian access to existing developments and core path network; mitigation can be provided to ensure no negative impacts on the Culloden Muir Conservation Area that the site lies within and Battle of Culloden designation close by to the east and Scheduled Monument within the Battlefield; no environmental designations within site and site has low ecological value and it is classified as secondary agricultural land.

Springfield Properties Plc (1147956)

Accepts that sites included in the IMFpLDP2 align more closely with its key sustainability objectives and that Lower Muckovie [*] is a peripheral location in the countryside and therefore could be considered premature at this time. Asserts however that Lower Muckovie could provide a site for a new primary or secondary school to help meet existing capacity issues in the area which could allow the site to be brought forward earlier by enabling a key element of infrastructure to be delivered.

Refers to earlier Call for Sites submission which included the following supporting studies: Archaeological Evaluation and Written Scheme of Investigation, Development Strategy, Geo-environmental Phase 1 Desk Study, Flood Risk Assessment, Transport Statement and Viability Statement.

Springfield Properties Plc (1147956)

Accepts that sites included in the IMFpLDP2 align more closely with its key sustainability objectives and that The Tower [*] is a peripheral location in the countryside and therefore could be considered premature at this time. However, if allocated the site would be developed entirely for affordable housing which would help meet the significant and rising demand for affordable housing in the Highlands.

Refers to earlier call for sites Call for Sites submission which included the following supporting studies: Archaeological Desk Based Assessment, Development Framework Plan, Development Strategy; Ecological Survey Report; Flood Risk Assessment; Ground Investigation Report; Tree Plan and Survey; Transport Statement and Viability Statement.

INE01: Easterfield

Springfield Properties Ltd (1147956)

Supports the allocation of the land at INE01: Easterfield Farm for housing in the IMFpLDP2. Respondent is wholly committed to delivering development on this site and a planning application (ref:21/04582/PIP) is current pending determination.

INE07: Milton of Culloden

Paul Bole (1252634)

Objects to the allocation of the site for the following reasons: existing infrastructure and services currently overcapacity; development should not take place until East Link and A96 dualling are complete; loss of valuable agricultural land that should be protected to provide food supplies and local employment; rich biodiversity should be respected and protected; impact on amenity of existing residents; loss of mature trees north from Stratton Lodge that provide a natural gateway to Inverness from the East. Considers attractive natural environment should be preserved for the future. Proposal should be reassessed following completion of currently approved developments elsewhere in 10 to 20 years times and only once their effects have been assessed.

Springfield Properties Ltd (1147956)

Objects to exclusion of land north west of allocation [*] for the following reasons: site has been significantly reduced in comparison to aIMFLDP, Main Issues Report and Inverness East Development Brief (IEDB) with no clear rationale provided by the Council; current planning application on the wider site (ref: 21/04895/PIP) is supported by detailed technical information which demonstrates a significant part of the excluded area is suitable for a combination of housing and useable open space as illustrated on the included constraints plan [*]; land would be detached and in isolation due to no commitment to enhancement; future viable agricultural use would be challenging and therefore likely land would become unkept resulting in an adverse impact to the setting of the Scheduled Monument appearance of the wider countryside. Considers reinstatement of the full allocation would ensure the most effective, efficient and sustainable use of the land.

INE08: Inverness Campus

Highlands and Islands Enterprise (1312470)

Wishes the developer requirements to be amended to provide additional future flexibility because the landowner intends to bring forward a refreshed masterplan which may inform a new planning permission in principle. Important that additional flexibility is provided to allow for the continued development of the Inverness Campus as a world-class location for a wide range of life sciences and technology sectors; reflect its status as a major employment hub; allow for implementation of the Campus Masterplan with around 50,000sqm of committed and pipeline projects to be delivered during the lifetime of the LDP including student residences, a veterinary hub and further development of Inverness

College; delivery of its ongoing transport strategy and allow for the effective delivery of the mixed use proposals described in the IEDB.

Requests an extension of INE08 to the south side of the planned East Link road [*] for the following reasons: to allow development of the land if the road is not delivered by 2027 and thus prevent blight; to reflect the IEDB and to allow flexibility.

INE09: Eastfield Way

Hazeldene (Inverness Ltd) per Turley (1271225)

Supports the introduction of a wider range of uses on the site for the following reasons: no firm interest in office and business uses on the site for a prolonged period; local agents Graham and Sibbald advised there is an oversupply of vacant office accommodation in Inverness; future demand for office space is uncertain due to the changes in working patterns as a result of the Covid 19 pandemic; would make site more viable; provide employment generating development; is demand for leisure and tourism uses and landowner is in advanced discussions to develop a mixed-use employment, leisure and tourism development on the site.

Request that developer requirement relating to accordance with the IEDB is amended to include a caveat confirming that development should be in accordance with the development brief, albeit the LDP will take precedence where there is divergence between the documents and/or that the masterplan in the IEDB is updated to identify the site for mixed-use development.

Request the developer requirement for footfall generating proposals to provide a sequential assessment of city centre options and impact assessment on city centre to provide additional clarity on when these assessments are required for the following reasons: SPP sets out that impact assessment requirements that relate to retail, leisure, public building or office accommodation over 2,500 sqm gross, with smaller retail and leisure schemes only required to be assessed where the planning authority considers they may have a significant impact on vitality and viability of a centre; current requirement too onerous on development where only a proportion of the site is made up of footfall generating uses as an integral part of a wider mixed use development and such an overly burdensome requirement may prevent viability of the development.

To ensure conformity with SPP any proposal which comes forward on the site in accordance with the allocated uses or not in accordance with the allocated uses that is ancillary to a wider policy compliant development or under 2,500 sqm gross floorspace should be exempt from the requirement for a sequential and/or impact assessment. Stipulates that as a minimum the developer requirement should outline that sequential and impact assessment are not required for footfall generating uses when brought forward as an integral and/ or ancillary part of an employment led mixed use development on the site.

Hercules Unit Trust (968628)

Objects to allocation for leisure and tourism being included within mix of uses because: Inverness Shopping Park is a preferable location for footfall generating uses in as it is a commercial centre in a sustainable location with greater potential for linked pedestrian trips; site is identified for business/office use in the IEDB and the developer requirements require the proposal to be consistent with this Brief; site previously considered unsuitable for restaurant development given planning application and development plan history; no change in circumstances justifies inclusion of leisure/tourism uses; a sequential test should already have been undertaken and should not be specified as a developer

requirement and the allocation fails to require an assessment of impact for footfall generating uses.

Scottish Environment Protection Agency (906306)

Objects as Environmental Report identifies that small areas of the site are at risk of flooding from small watercourses but flood risk assessment is not included as a developer requirement.

INE11: Castlehill

Robert Clinton (1323133)

Preference for site to be safeguarded for green space encompassing parks and sports facilities. Where this is not possible requests developer requirements are amended to include the following: homes restricted to single story and low density to allow for continued uninterrupted views of the Moray Firth; at least windfall distance between mature trees and development; high quality development reflective of Inverness Campus; generous green space to ensure retention of existing wildlife; protection of amenity of Castlehill House from commercial development, particularly in terms of noise and odours; no through access close to Castlehill House and suitable boundary treatment between development and Castlehill House grounds to ensure security.

INE13: Ashton West

Carol Munro (1312270)

Objects to the allocation of INE13 as the landowner intends to continue working the farm and has no desire to sell it for development purposes.

INE14: Cradlehall Court

Calum Murray (1310442) and Elizabeth Murray (1312271)

Object to the allocation of the site for the following reasons: impact on mature trees, impact on biodiversity, including protected species and natural flora and fungi; loss of valuable green space that is enjoyed by local residents and scale of development. Wishes area to be safeguarded as green space.

Ian Barke (1310627)

Considers the specified 20m holdback distance from trees within the developer requirements may not be adequate for mature oak trees that are at risk particularly during storms. Questions what land is defined as the riparian area in the developer requirements. Welcomes the requirement for no new road junction onto Caulfield Road.

Sean Kelly (1312507)

Landowner supports allocation of the site for the uses specified because it will assist the Council in delivering the aims of the IMFpLDP2 and draft NPF4, including its 20-minute neighbourhood concept; could provide additional local shops and services; assist in providing a range of local housing options; the trees and burn will be safeguarded and footpath links extended.

Requests developer requirements acknowledge the potential to access the site from Caulfield Road because: the Council's Transport Planning Team previously accepted the principle of a new access from Caulfield Road subject to suitable traffic management as part of a planning application (reference: 18/00852/PIP); local traffic calming measures have recently been implemented that will have a positive impact on the delivery of a new junction; could improve the functioning of the centre and other local facilities and provide general access improvements for residents.

Scottish Environment Protection Agency (906306)

Objects as the Scretan Burn runs through the site and culverts above the site may impact on how water runs through the site but flood risk assessment is not included as a developer requirement.

INE17: Stratton Central

Joanna Matheson (1310461)

Objects to the inclusion of housing as an allocated use for INE17 because the mix of uses are too broad with no detailed plan of what will be developed; purchased house on the understanding that the site was to be developed for retail as part of a wider town centre development; there is lack of community structure within Culloden, community resources should be top priority including retail, park and leisure uses. Supports IEDB and questions where the planned parks and leisure uses are. Requests house builders are prevented from developing the area for solely further housing.

INE18: Balloch Farm

Balloch Community Council (1271483)

Outlines that Balloch Community Council is part of a Community Liaison Group connected with this site. Explains that land around the village hall and primary school was to be community land as part of the development benefit. Concerned that because these areas are not allocated for any use in the IMFpLDP2 that this could make it challenging to deliver an extension to the primary school and for the community to benefit from the land.

Martin MacLeod (1311902)

Objects to INE18 for the following reasons: site not allocated for housing in aIMFLDP, was anticipated that it would remain as a green wedge separating Culloden and Balloch; despite development being opposed by the Balloch Community planning permission was granted for a large housing development; conflicts with the overarching aims of the IMFpLDP2 including tackling the climate and ecological emergency, enabling post pandemic recovery and the environment outcome of safeguarding and where possible enhancing the environmental quality of all places; site used by the community for exercise and play and provides an important resource for physical and mental health; additional housing would result in increased pressure on local services; concern development will be profit driven with a minimal number of affordable homes; sufficient housing being developed elsewhere to meet demand, for example Stratton, Croy and Tornagrain; preference for new affordable housing to be developed closer to city centre with priority given to brownfield sites; desire for a new model for dealing with housing issues in Highland. Wishes site to be retained for amenity use with public access and enhanced path network or if this is not possible returned to an agricultural use that promotes wildlife and allows appropriate public access.

Modifications sought by those submitting representations:

Placemaking Priorities

Barratt North Scotland Ltd (1271335)

Modify the 4th bullet point to read 'Safeguard the green network character and setting of the city by limiting development to the existing edges of Culloden, Balloch and Cradlehall and an appropriately masterplanned extension to Westhill.'

Highlands and Islands Enterprise (1312431) per Turnberry UK

None

Settlement Map 25 East Inverness

Barratt North Scotland Ltd (1271335)

Allocation of land at Myrtlefield for 300 homes.

Hercules Unit Trust (968628)

Annotate Inverness Shopping Park as a Commercial Centre on the East Inverness inset map.

Kirkwood Homes and 3A Partnership Limited per EMacPlanning (1312502)

Allocation of MIR site IN113: Drumossie for 80 homes.

Macdonald Hotels per Pegasus Group (1312504)

Extension of the SDA to include the Drumossie Hotel and land to the rear.

National Trust for Scotland (1312459)

Greater emphasis to importance of Culloden Battlefield (assumed).

Pat Munro (Alness) Limited per THE Architecture + Planning (1312301)

Allocation of MIR site IN110: Land West of Blackpark Farm for 35 homes.

Springfield Properties Plc (1147956)

Allocation of MIR site IN111: Lower Muckovie for housing (assumed).

Springfield Properties Plc (1147956)

Allocation of MIR site IN115: The Tower for affordable housing (assumed).

INE01: Easterfield

Springfield Properties Ltd (1147956)

None.

INE07: Milton of Culloden

Paul Bole (1252634)

Delete allocation.

Springfield Properties Ltd (1147956)

Extend allocation to include land to north as far as the A96 trunk road.

INE08: Inverness Campus

Highlands and Islands Enterprise (1312470)

Amend developer requirements to read 'Developer requirements: Development in accordance with Policy 15(c) 'Inverness East Development Brief', the current or future Inverness Campus Masterplan, Inverness Campus Design Guidelines, planning permission 09/00887/PIPIN and related permissions.'

INE09: Eastfield Way

Hazledene (Inverness Ltd) per Turley (1271225)

Update the masterplan in the IEDB to identify either the Eastfield Way site for mixed-use development, and/or include a caveat to INE09 supporting text to stipulate that development should be in accordance with the development brief, albeit the LDP will take precedence where there is divergence between the documents.

Update the policy wording to provide clarity on when the sequential and impact assessment are required. The supporting text should either confirm that: proposal in accordance with the site's allocation would not be required to undertake these assessments; or at a minimum identify these assessments are not required for footfall generating uses when brought forward as an integral and/or ancillary part of an employment led mixed use development on the site.

Hercules Unit Trust (968628)

Delete 'leisure and tourism' as uses.

Scottish Environment Protection Agency (906306)

Addition of following developer requirement: 'Flood Risk Assessment (no development in areas shown to be at risk from flooding).'

INE11: Castlehill

Robert Clinton (1323133)

Safeguarded for green space encompassing parks and sports facilities. Alternatively amend developer requirements to include the following: homes restricted to single story and low density; at least windfall distance between mature trees and development; high quality development reflective of Inverness Campus; generous provision of green space; protection of amenity of Castlehill House from commercial development, particularly in terms of noise and odours; no through access close to Castlehill House and suitable boundary treatment between development and Castlehill House grounds.

INE13: Ashton West

Carol Munro (1312270)

Delete allocation and replace with green space.

INE14: Cradlehall Court

Calum Murray (1310442) and Elizabeth Murray (1312271)

Safeguard as greenspace.

Ian Barke (1310627)

Edit developer requirements to increase holdback distance from trees and do not permit parking within this area; allow for footpath adjacent to wood to connect to Caulfield Road.

Sean Kelly (1312507)

Amend developer requirements to allow for new vehicular access from Caulfield Road.

Scottish Environment Protection Agency (906306)

Addition of following developer requirement: 'Flood Risk Assessment (no development in area shown to be at risk of flooding).'

INE17: Stratton Central

Joanna Matheson (1310461)

Delete 'housing' as use (assumed).

INE18: Balloch Farm

Balloch Community Council (1271483)

Allocate land around village hall and primary school for community use (assumed).

Martin MacLeod (1311902)

Preference for retention as an amenity area for public access with enhanced paths and signage. Failing that return to agricultural use with a cropping pattern that promotes wildlife and allows public access.

Summary of responses (including reasons) by planning authority:

Placemaking Priorities

Barratt North Scotland Ltd (1271335)

The Council does not support a housing allocation at Myrtlefield. See response to Barratt North Scotland Ltd within Settlement Map 25 East Inverness section below for reasons. It is therefore not appropriate for the East Inverness Placemaking Priorities to be modified to reflect this request. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Highlands and Islands Enterprise (1312431) per Turnberry UK

Support noted.

Settlement Map 25 East Inverness

Barratt North Scotland Ltd (1271335)

The respondent first sought inclusion of land at Myrtlefield for 300 homes during the Plan's Main Issues Report consultation. The respondent explains the reason for this was due to the timing of securing an option on the site. It is beneficial for sites to be submitted for consideration during the earlier Call for Sites stage of the Plan making process to ensure the planning authority is able to properly assess the merits of the proposal, particularly in terms of inclusion in the Strategic Environmental Assessment (including input from the consultation authorities) and to allow for public engagement. As far as the Council is aware the respondent has not undertaken any form of community engagement. This makes it challenging to undertake a fully informed assessment of the site.

The site is located on the eastern edge of Inverness approximately 4 miles from the city centre. Whilst it is adjacent to existing established residential development at Westhill on the north side of the B9006, beyond its boundaries to the east, south and west is essentially a rural landscape characterised by small farm based housing groups and other sporadic rural development. In this sense, particularly the sites western boundary being detached from the existing settlement edge, the site does not represent an entirely logical urban expansion location on the east side of Inverness. Furthermore, a site of 14 hectares where 300 homes are proposed is not considered to represent a modest expansion, rather a proposal of this scale is considered significant and constitutes a major development which requires robust assessment. Housing development at this location is not consistent with the Plan's Inverness Spatial Strategy (Map 21) that illustrates strategic city expansion at Inverness East, Ness Castle, Ness-side and Inverness West.

In terms of sustainable travel opportunities, the site is some distance from a range of services and facilities and there is no footway on either side of B9006 beyond the site boundary. A footway begins on the north side of the B9006 its junction with Tower Brae South which is approximately 50m west of the site. However, this footway is on the north side of the road and there are currently no crossing points to reach it. There are bus stops approximately 1km west of the site on Culloden Road but there are no safe pedestrian routes to reach these bus stops.

In terms of contributing towards the effective housing land supply there is no backlog of pent up housing demand that justifies a further increase in the Council's already generous

housing land supply in the Inverness Housing Market Area. Further information on this aspect is provided within Issue 3 Housing Requirements.

The site itself does appear to be free from major constraints including flood risk, natural heritage designations, listed buildings and quality and type of soils as outlined by the respondent. However, the Culloden Muir Conservation Area and Inventory Battle of Culloden lie approximately 430m and 900m to the east respectively [*]. The site's Landscape and Visual Appraisal and a Cultural Heritage Assessment found there would be no significant impacts on Culloden Muir Conservation Area and Battle of Culloden Inventory Battlefield and that existing features help the site to be visually contained. An adjacent site to the east was non-preferred at Main Issues Report Stage (reference IN109, Northeast of Copperfield), the environmental assessment for this site found that there was potential for impacts on these assets but Historic Environment Scotland agreed that mitigation would be acceptable. However, given that this site is significantly larger than the adjacent site considered at Main Issues Report stage, without input from key agencies and specialist Council officers due to the later stage the site was submitted for consideration, the findings of the respondent's studies cannot be fully verified.

It is accepted that there is currently capacity at Cradlehall Primary School (School Roll Forecast 2021/22) to accommodate some development and that the respondent is willing to provide developer contributions towards infrastructure capacity upgrades. It is also accepted that the site is effective in terms of landownership as it is under the control of a housebuilder and the size could provide a range and choice of house types.

Taking the above into account there is no exceptional justification for supporting this site ahead of allocated alternatives. Its submission for consideration at Main Issues Report stage limits environmental assessment and community engagement opportunities. Furthermore, it is not an environmentally sustainable or economically viable (in terms of public sector infrastructure provision) location at which to support further growth other than minor infill or rounding-off proposals at this time. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Hercules Unit Trust (968628)

National planning and transport policy is evolving. Against this fluid context, the Plan's Spatial and Transport Strategies aim to identify and protect an optimum network of centres. By optimum, the Council means economically viable for the operators in terms of available catchment spend and environmentally sustainable in terms of maximising travel to, from and within each centre by sustainable modes. Both of these requirements also mean enabling and protecting centres with retail (and other footfall generating) provision that are diverse and attractive enough to prevent longer journeys by unsustainable travel modes – i.e., are competitive in terms of price, quality, range and service. The primary goal of both approved and emerging National planning and transport policy is to encourage LPAs to identify, support through permissions, and then protect an optimum network of "town" centres. "Town centres" are defined in paragraph 62 of Scottish Planning Policy (SPP) as those that are genuine mixed use, day-long meeting places with good sustainable travel mode accessibility and architectural or other attractive character. SPP does allow the identification of other, lower preference centres.

The Plan differs from approved Highland LDP policies by proposing not to continue to identify and protect the Inverness neighbourhood and commercial centres listed in Policy 1 of the aIMFLDP. The reasons for so doing are that these lower tier centres don't meet all the SPP 'town centre' definition criteria, most have no architectural merit and are primarily

designed for car borne shoppers. See Issue 10 Town Centre First for the Council's response to the general town centre policy matters.

With specific reference to Inverness Shopping Park (known as West Seafield Retail Park in the aIMFLDP) there are currently no obvious new development opportunities within the centre. Local development plans must focus on areas of significant change and within the centre as defined in the aIMFLDP there is little potential for new development. Identification as a commercial centre is not required to allow the centre to continue operating nor for any possible future change of use of existing units or intensification of their use. Policy 6 of the IMFLDP2 requires developers to consider how appropriate the nature of their proposal is to the scale and function of the centre within which it is proposed. This would allow for appropriate development within the centre.

Whilst Inverness Shopping Park is not identified as a commercial centre in the Plan, the Policy tests set out in its Policy 6 as well as Scottish Planning Policy for footfall generating development are the same – they both require a sequential assessment which demonstrates there are no suitable sites in the nearby town centre(s) and that the proposal will not have an adverse impact on the vibrancy or vitality of that town centre(s). Therefore, the appropriate tests sought by the respondent will continue to apply.

Kirkwood Homes and 3A Partnership Limited per EMacPlanning (1312502)

In the aIMFLDP the East Inverness inset Map shows site IN90: Land South of the Drumossie Hotel as an allocation for business/tourism use [*]. The respondent seeks for this site plus a field directly adjacent to the south west to be allocated for housing. The additional field is shown as 'grey land' within the SDA in the aIMFLDP.

Planning permission (reference: 15/04049/FUL) for a phased layout and servicing (including access, parking, utilities, landscaping and public art) of land for development of a tourism and commercial/leisure complex comprising a maximum 48 lodges and apartments and buildings for commercial/leisure uses and administration was permitted on 10 May 2016 [*]. The boundary of this planning permission encompassed the allocated site plus the field directly adjacent to the south west which the respondent is now seeking to be allocated for housing. An application (reference: 17/01011/S42 [*]) under Section 42 was approved to develop land without compliance with condition 6 of planning permission reference 15/04049/FUL. This permission allowed the formation of the access prior to the submission of a scheme of maintenance for the development and details of a footpath were submitted and approved by the planning authority. It is understood that this development commenced in the form of a new access and visibility splays being formed within the period the planning permission was extant. It is therefore accepted that this planning consent will remain extant. Taking the above development plan and planning history of the site into consideration the principle of tourism/leisure development on the site has been established but not the principle of other forms of development.

A Proposal of Application Notice (reference: 22/02215/PAN) for housing on the representation site was submitted in April 2022. Subsequently a planning application (reference: 22/03432/FUL) for 80 residential units and associated access, landscaping and infrastructure was submitted in July 2022 and at the time of writing is under consideration by the Council.

The reason for the allocation of site IN90 in the aIMFLDP was to recognise the tourism or business potential of this land which is one of very few in Highland that is close to a high capacity grade separated trunk road junction and at the visual gateway to the Inner Moray

Firth. A tourism and commercial/leisure complex has different locational requirements and impacts than a housing development. This site is divorced from the nearby neighbourhoods of Milton of Leys to the southwest and Cradlehall to the northeast. As a result the site is currently poorly accessible via active travel to nearby services and facilities. The site is approximately 1.6km from services and facilities on Culloden Road. There is no footway for the majority of that distance along B9177 that connects with Culloden Road. Whilst there is a bus stop immediately in front of the Drumossie Hotel a very limited number of services operate from this stop.

This part of the city fringe is characterised by small farm based housing groups, other sporadic rural development and the Drumossie Hotel. The aIMFLDP enclosed the land either side of the A9 within the Inverness SDA so that important woodland belts could be identified and safeguarded and that limited development opportunities could be supported where existing housing and other building groups exist. The contraction of the SDA either side of the A9 on this approach to Inverness was based on recent pressure for larger housing developments, the poor environmental sustainability of the location in particular its poor active travel and public transport connectivity and its rural character. It is up a steep hill, not close to community facilities and next to a busy, noisy trunk road and therefore is not a good location for housing development. Furthermore, housing development at this location is not consistent with the Plan's Inverness Spatial Strategy (Map 21) that illustrates strategic city expansion at Inverness East, Ness Castle, Ness-side and Inverness West.

IN90 was excluded from the Plan to reflect the contracted SDA, because the site was now being promoted for housing and there is no proven demand for business/tourism use. This does not preclude the site being developed for business/tourism purposes as its planning permission remains extant and HwLDP countryside policies allow for appropriate tourism/business proposals in the countryside.

In terms of contributing towards the effective housing land supply there is no backlog of pent up housing demand that justifies a further increase in the Council's already generous housing land supply in the Inverness Housing Market Area. Further information on this aspect is provided within the Schedule 4 Issue Number 3 Housing Requirements.

A number of the assertions made in the representation are not disputed, for example the outcome of environmental assessments; no loss of open space with public amenity value; absence of major constraints on the site and the respondent's willingness to provide developer contributions towards increased infrastructure capacity where required. However, these factors alone do not justify the inclusion of the site for housing use in the Plan.

Taking the above into account there is no exceptional justification for supporting this site ahead of allocated alternatives. The current use of the site does not cause any negative impacts. It is not an environmentally sustainable or economically viable (in terms of public sector infrastructure provision) location at which to support housing growth. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Macdonald Hotels per Pegasus Group (1312504)

See Issue 2: Spatial Strategy for the Council's response to the request to extend the SDA to include the Drumossie Hotel and land to the rear. This response focuses on the site's suitability as a housing allocation. Whilst the representation does not explicitly seek a housing allocation for 56 homes for retirement accommodation at land to the rear of the

Drumossie it is being treated as such. This is because development of this scale would usually be allocated given it has potential for a number of impacts, including infrastructure capacity requirements and because it would be important for it to be included as part of the housing land supply.

The proposal is located within landscaped grounds to the rear of the B listed Drumossie Hotel, within the curtilage of the listed building. The representation explains that two, three story blocks containing a total of 56 retirement residential apartments are proposed. The scale, mass and design of the proposal presented would more appropriately be located within an urban area. No visuals are provided to illustrate the impact of the proposal on the setting of the listed Drumossie Hotel, without this there are concerns that the proposal will detract from the building.

The proposal is to be located close to where currently hotel rooms and the function suite are located. This may result in overlooking of the apartment blocks which could result in privacy and noise issues, particularly during events. Furthermore the site lies approximately 170m east of the A9 Trunk Road which may result in noise disturbance to future residents.

Similar to the response to Kirkwood Homes and 3A Partnership Limited representation above relating to a site directly south of the Drumossie Hotel, this part of the city fringe is characterised by small farm based housing groups, other sporadic rural development and the Drumossie Hotel. The aIMFLDP enclosed the land either side of the A9 within the Inverness SDA so that important woodland belts could be identified and safeguarded and that limited development opportunities could be supported where existing housing and other building groups exist. The contraction of the SDA either side of the A9 on this approach to Inverness was based on recent pressure for larger housing developments, the poor environmental sustainability of the location, in particular its poor active travel and public transport connectivity and its rural character. This site is divorced from the nearby neighbourhoods of Milton of Leys to the southwest and Cradlehall to the northeast. As a result the site is currently poorly accessible via active travel to nearby services and facilities. There site is approximately 1.5km from services and facilities on Culloden Road. There is no footway for the majority of that distance along B9177 that connects with Culloden Road. Whilst there is a bus stop immediately in front of the Drumossie Hotel a very limited number of services operate from this stop.

The Council's Housing Need and Demand Assessment 2020 confirms that with regard to specialist housing given population and demographic projections of future needs are likely to require the provision of purpose built and adapted housing of all tenures that enables people to live in their own homes as long as possible [*]. The Council's Local Housing Strategy [*] echoes this, recognising the need for new housing development to take account of population trends and the needs of an aging population. Whilst there is therefore a confirmed need for housing suitable for older people, little detail is provided in the representation of what features of the development may make it suitable for retirement accommodation. For example, no detail is provided of any accessibility or adaptable measures that will be included. Furthermore, it is widely recognised that the most appropriate sites to accommodate an aging population are those within settlements, close to amenities and services. As explained above the site does not have these characteristics and is therefore considered an unsuitable location for retirement accommodation.

The Council accepts that there are unlikely to be any flooding issues at this location and there are no sites currently recorded in the Council's Historic Environment Record. In

terms of the landscape accommodating the development, whilst the site is elevated, the existing boundary trees would help to provide visual screening of the proposal. However limitations of boundary trees, in particular their remaining lifespan, ownership and impacts on the amenity of future residents as a result of shading and obscuring views may reduce the potential of the trees to provide screening.

Taking the above into account there is no exceptional justification for supporting this site ahead of allocated alternatives. Furthermore, it is not an environmentally sustainable or economically viable (in terms of public sector infrastructure provision) location at which to support housing growth. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

National Trust for Scotland (1312459)

The Council consider that adequate safeguards are in place to protect built heritage features, including listed buildings, scheduled monuments, battlefields and conservation areas, through the application of Scottish Planning Policy and the Council's HwLDP when considering potential development allocations and planning applications. Furthermore, in the application of these documents, where required advice is sought from the Council's Historic Environment Team and Historic Environment Scotland. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Pat Munro (Alness) Limited per THE Architecture + Planning (1312301)

The site known as West of Blackpark Farm falls outwith the Inverness SDA in the aIMFLDP. It was submitted for consideration for housing and campsite use during the Plan's Call for Sites and shown as non-preferred in the Main Issues Report.

Paragraph 26 of the IMFpLDP2 explains that its Spatial Strategy and Settlement Hierarchy set out a strategic view on where future growth should occur. It directs most future growth to the settlements with the best existing, committed or likely viable future access to community facilities, infrastructure, employment and other commercial opportunities, and environmental capacity to support that growth. Alness, Beauly, Dingwall, Invergordon, Inverness City, Muir of Ord, Nairn, Tain and Tornagrain are listed as Tier 1 settlements. The allocations illustrated in the settlement inset maps and indicative housing capacity for these settlements illustrate that the majority of development is directed to these settlements.

The northern part of the site is located adjacent to the existing housing at Westhill. Beyond its boundaries to the north is woodland and to the east, south and partially to the west is essentially a rural landscape characterised by small farm based housing groups and other sporadic rural development. The indicative layout provided does not reflect the character of existing development. It would appear incongruous in the rural landscape on the cities fringe.

In terms of sustainable travel opportunities, the site is some distance from a range of services and facilities and there is no footway on either side of B9006 beyond the site boundary. A footway begins on the north side of the B9006 its junction with Tower Brae South which is approximately 1km west of the site. There are bus stops approximately 1.8km west of the site on Culloden Road, this is a significant distance and there are no safe pedestrian routes to reach these bus stops. The indicative layout and representation explain that pedestrian access would be provided to existing development and the core path network. Whilst this may help to improve the accessibility of the site to the wider area, it does not negate the peripheral nature of the location nor its poor active travel connection

to the city via the B9006.

It is accepted that the proposal would contribute towards a range of housing options in Inverness. Despite this, the generous supply of allocated sites within the Inverness Housing Market Area is already considered to provide a sufficient range of sites that will deliver a mix of house types and tenures and across a variety of locations. Further information on this aspect is provided within the Issue Number 3 Housing Requirements.

The site lies approximately 80m west of the Inventory Battle of Culloden [*]. In response to the Main Issues Report Historic Environment Scotland (HES) agreed with the Council's view that the site (site reference IN110) should not be allocated in the Plan[*]. HES explained that they were currently in the process of finalising research into the location of Culloden Parks and the site is believed to be its location, a key feature of the Battle of Culloden used by the Jacobite forces to anchor their left flank. Culloden Parks is currently only partly within the designated boundary of the Inventory Battlefield; however this may be reassessed subject to the finalising of research. HES concluded that should the allocation be brought into the IMFpLDP2 they would likely object and seek its removal. HES comments on the Main Issues Report Strategic Environmental Assessment echo this, and HES further comment that they consider that mitigation would be unlikely to lessen the significance of the impact on the battlefield.

The site lies within Culloden Muir Conservation Area. The development proposed is of a significant scale and therefore has potential to impact upon the character and appearance of the conservation area.

The Council accepts that there are no environmental designations within the site, however beyond the northern boundary of the site is an area of woodland contained in the Ancient Woodland Inventory. This may affect any development potential in the northern part of the site. The Council also accepts that the site is not prime agricultural land.

Taking the above into account there is no exceptional justification for supporting this site ahead of allocated alternatives. It is not an environmentally sustainable or economically viable (in terms of public sector infrastructure provision) location at which to support housing growth and there is potential for significant impacts on Inventory Battle of Culloden and Culloden Muir Conservation Area. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Springfield Properties Plc (1147956)

During the Call for Sites period Springfield Properties Plc submitted a site at Lower Muckovie for inclusion in the Plan for around 500 houses along with a school, community facilities and open space. Various supporting studies were submitted to support the representation including an Archaeological Evaluation and Written Scheme of Investigation, Development Strategy, Geo-environmental Phase 1 Desk Study, Flood Risk Assessment, Transport Statement and Viability Statement. As far as the Council is aware the respondent has not undertaken any form of community engagement with regards to development on this site.

The site was shown as non-preferred in the Main Issues Report (site reference IN111) and excluded from the IMFpLDP2 because it was considered peripheral to the city's structure and facilities and sufficient land was identified elsewhere to meet the areas housing need. It would present a different strategic direction for growth that would encroach onto the undeveloped landscape important to the character and setting of the city.

Paragraph 196 of the IMFpLDP2 explains that similar to the rest of the city, education capacity is limited in East Inverness and that funding is required to provide new primary and secondary school capacity. The planned strategic expansion of East Inverness is focussed on a series of land allocations at Ashton, Stratton, Milton of Culloden South, Inverness Campus and Castlehill. To support housing expansion in this area, the IEDB identifies a primary school site at Stratton, a primary school site at West Ashton and a secondary school within East Ashton (IMFpLDP2 references INE24, INE13 and INE15 respectively). Therefore, at the current time the site at Lower Muckovie is not required to help meet any school capacity issues.

The respondent accepts that the site does represent a peripheral location in the countryside and could be considered premature at this time. Whilst the extensive range of supporting studies may demonstrate that the site is deliverable it is not an environmentally sustainable or economically viable (in terms of public sector infrastructure provision) location at which to support housing growth. There are other adequate, better located sites already allocated for housing and mixed use development that reflect the Plan's spatial strategy, Inverness and East Inverness Placemaking Priorities. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Springfield Properties Plc (1147956)

During the Call for Sites period Springfield Properties Plc submitted a site at The Tower for inclusion in the Plan for around 40 homes. Various supporting studies were submitted to support the representation including an Archaeological Desk Based Assessment, Development Framework Plan, Development Strategy; Ecological Survey Report; Flood Risk Assessment; Ground Investigation Report; Tree Plan and Survey; Transport Statement and Viability Statement.

The site was shown as non-preferred in the Main Issues Report (site reference IN115) and excluded from the IMFpLDP2 because it was considered peripheral to the City's structure and facilities and sufficient land was identified elsewhere to meet the areas housing need. It would present a different strategic direction for growth that would encroach onto the undeveloped landscape important to the character and setting of the city.

A planning application (reference: 18/01049/FUL) for 48 affordable homes was refused on this site in April 2018 [*] for a number of reasons, including it was not considered necessary to meet the need for delivery of affordable housing given the availability of other sites within Inverness and at other strategic locations and the proposal failed to meet the requirements of sustainable development because, *inter alia*, it would be isolated from the rest of the city by virtue of the lack of active travel and public transport linkages. The Council's Planning Review Body subsequently dismissed the application's Notice of Review (reference: 18/00043/RBREF) for the same reasons.

Paragraph 74 of the IMFpLDP2 explains that despite recent high levels of affordable housing completions there has been little impact on the backlog of unmet housing need. It is therefore important that the Council continue to identify sites to help meet the affordable housing back log. Despite this, the Council is satisfied that a generous range and mix of sites suitable for housing, including affordable housing, have been allocated in the Plan. Further information on this aspect is provided within the Issue Number 3 Housing Requirements.

The respondent accepts that the site does represent a peripheral location in the

countryside and could be considered premature at this time. Whilst the extensive range of supporting studies may demonstrate that the site is deliverable it is not an environmentally sustainable location at which to support housing growth. There are other adequate, better located sites already allocated for housing and mixed use development that reflect the Plan's spatial strategy, Inverness and East Inverness Placemaking Priorities. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

INE01: Easterfield

Springfield Properties Ltd (1147956)

The respondent supported this allocation. This is despite INE01 excluding a field to the east of the site that was included in the respondent's planning application boundary (reference: 21/04582/PIP) that was under consideration by the Council during the IMFpLDP2 consultation period.

The respondent appealed against the non-determination of their planning application (reference: 21/04582/PIP) for residential development (up to 130 houses) with associated infrastructure on this site plus additional land to the south-east of Balvonie Cottage [*]. On 21 October 2022 the Appeal's Notice of Intention [*] was published. The Notice of Intention explains that the Reporter is minded to allow the appeal and grant planning permission in principle subject to conditions listed, following the signing and registering or recording of a planning obligation under section 75 of the Town and Country Planning (Scotland) Act 1997.

To reflect the planning decision outlined above, if the Reporter is so minded, then the Council would be supportive of the following changes: amend site boundary and SDA to reflect the boundary of the planning application (ref:21/04582/PIP) and land included within the allocation west of the B9177 [*] Area: 8.6 ha; Indicative housing capacity: 147. Note that land to the west of the B9177 was included in this allocation as, at the time of writing the IMFpLDP2 in March 2022, the housing units within this part the western side of the allocation were not complete. The indicative capacity suggested reflects the number of incomplete units on the west of the B9177 plus the number of units permitted on the east of the B9177.

INE07: Milton of Culloden

Paul Bole (1252634)

This site forms part of the established East Inverness expansion area. It was allocated in the HwLDP, the aIMFLDP and detailed guidance on its development is provided in the East Inverness Development Brief (IEDB). The strategic expansion of Inverness, including East Inverness, continues to form part of the IMFpLDP2's spatial strategy [*]. Developer contributions, as outlined in the IEDB and the Council's Developer Contributions Supplementary Guidance will be sought to mitigate the impact of the development. The IEDB identifies the site as a 'middle phase' of expansion at East Inverness. Only the 'late phases' of development are East Link dependent. Despite this, a transport assessment is required to support a planning application to determine if there is sufficient capacity in the existing transport network and if any mitigation is required.

The site comprises prime agricultural land with the exception of a very small area of the eastern corner of the site [*]. Scottish Planning Policy advises that development on prime agricultural land should not be permitted except where it is essential, *inter alia*, as a component of the settlement strategy or necessary to meet an established need [*]. It is therefore considered that a loss of prime agricultural land at this location, whereby significant mixed use expansion at this location is supported as part of the IMFpLDP2's

wider and Inverness specific Spatial Strategy, is an essential component of the Spatial Strategy and therefore consistent with Scottish Planning Policy.

Impacts on biodiversity and trees will be assessed and mitigated as required by HwLDP policies, including Policy 57 Natural, Built and Cultural Heritage, Policy 58 Protected Species and Policy 51 Trees and Development; the IEDB which requires extensive areas of open space and green networks to be provided; the Stratton Tree Preservation Order [*] and Policy 2 Nature Protection, Preservation and Enhancement of the IMFpLDP2 and the sites developer requirements in the IMFpLDP2.

In terms of residential amenity, the southern boundary of the site is formed by Caufield Road beyond which is an existing residential area. HwLDP Policy 28 Sustainable Design requires developments to consider impacts on individual and community residential amenity. Furthermore, a requirement of the IEDB for Milton of Culloden South (no 7) is for the residential amenity of adjacent neighbourhoods to be respected and inform the design and layout of new development [*]. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Springfield Properties Ltd (1147956)

In the aIMFLDP this site is split into 3 land parcels, two are shown as IN85 Milton of Culloden, which are allocated for mixed use, and IN77 Stratton Lodge which is allocated for 25 homes. The northern boundary of the eastern most IN85 site is formed by the A96(T) [*]. In the IEDB, whilst the development brief boundary encompasses the entire site Milton of Culloden sites (IN85) allocated in the aIMFLDP, it shows a wide green buffer between built development and the A96(T). In the IMFpLDP2 the aIMFLDP IN77 and two IN85 sites were merged to create a single 'Milton of Culloden South' site. The boundary was contracted to exclude a northern section of aIMFLDP IN85. This area was excluded to reflect areas of built development indicated on IEDB Indicative Masterplan. The IEDB Green Infrastructure drawing illustrates that the northern area would be an informal area of green space[*].

A planning application (ref: 21/04895/PIP) for residential development and associated infrastructure is currently under consideration on the site. The boundary of this application includes land to the north reaching the A96(T). The most recently submitted site layout plan (dated 2 September 2022) continues to show significant areas of housing development within the intended green buffer, contrary to the IEDB and the IMFpLDP2.

The Council's Development Plan's Team consultation response to this application dated 17 January 2022 identified that the application boundary was not consistent with the IEDB or the IMFpLDP2 [*]. It explains that the green buffer was intended to provide for the protection of a Scheduled Monument in a north eastern section of the site; land take required for the planned A96(T) dualling; residential amenity and an offset distance from a high pressure gas pipeline. It also provides a suitable point in the landscape for development to cease to allow the area to continue to be characterised by a rural feel, both within the development and when viewed from the A96(T).

Supporting information for the planning application demonstrates that parts of the green buffer are free from physical constraints, however, the Council continues to consider that the area shown as a green buffer in the IEDB should be maintained as such, for the reasons outlined above. Whilst the exclusion of the area from the allocated site may result in no formal use for the site, it is unlikely negative impacts may arise from it not forming part of the allocation. If the area is not viable for productive agricultural use due to its isolation, there are unlikely to be negative environmental impacts as a result of this. In terms of the appearance of the Scheduled Monument (Milton, ring-ditch 320m SSE of)[*],

that occupies a large portion of the western side of the green buffer, it appears in an arable field as a mark in a cereal crop. It is not uncommon for these features not to be visible due to the vegetation and trees. It is not agreed that there would be an adverse impact to the appearance of the wider countryside, rather the land may take a more natural appearance in the future that may encourage greater biodiversity. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

INE08: Inverness Campus

Highlands and Islands Enterprise (1312470)

In the IMFpLDP2 INE08 is allocated for mixed use, specifically community, business and office uses. The developer requirements for read: 'development in accordance with Policy 15c 'Inverness East Development Brief', planning permission 09/00887/PIPIN and related permissions'. The reason for these requirements was that the IEDB provides guidance for the remaining development opportunities at the campus and existing planning permissions are continuing to be implemented. The importance of the Inverness Campus is highlighted in the East Inverness Placemaking Priorities, which includes, support for further development of the Inverness Campus as a world-class business location for life sciences, digital healthcare and technology. It is considered that the existing Placemaking Priorities, uses and developer requirements provide sufficient flexibility that would allow for the support of an appropriate refreshed masterplan that may inform a new planning permission in principle, including the aspirations and uses explained in the respondent's representation.

With regards to the respondent's request for an extension to INE08 to the south side of the planned East Link road this is not supported. As part of the Scottish Government's commitment in the £315 million Inverness and Highland City Region Deal, Transport Scotland is taking forward plans for a single carriageway road connecting Inshes and Smithton[*]. Transport Scotland published draft Orders and an Environmental Impact Assessment for the proposed scheme in 2019. Following the consultation period, Scottish Ministers considered the remaining objections and published their decision letter which confirmed that a Public Local Inquiry was not necessary, and that Orders should be made as published. A firm commitment has therefore been made to the delivery of East Link during the period of the City Region Deal to 2027. East Link drawings [*] show that the requested extension areas include land required for the scheme, and will take the form of scrub planting, mixed woodland and planting and SuDS wetlands. This is consistent with the IEDB which shows the areas to comprise a combination of informal green space, retained and increased woodland. If the Reporter is so minded, then the Council would be supportive of illustrating the green networks as shown in the Green Infrastructure drawing in the IEDB [*] at this location and throughout the Inverness East Expansion Area in the interests of improved clarity.

Given the level of comment towards the delivery of East Link explained above, coupled with the intentions for developing the green network at this location it is not considered appropriate for the allocation to be extended at this location.

INE09: Eastfield Way

Hazeldene (Inverness Ltd) per Turley (1271225)

Support for specified uses noted.

Policy 15 Development Briefs of the IMFpLDP2 explains that IEDB is a policy within the Plan that applies to sites within the development brief, this includes INE09 Eastfield Way. The assertion that the IMFLDP2 will be internally inconsistent with regards to the uses specified in the IEDB and the uses supported in the allocation within the body of the Plan

has substance. If the Reporter is minded to agree then the Council would suggest that the rolled forward development briefs which will be “physically bound” within the IMFLDP2 document should have any incompatible provisions “greyed out” to indicate the Council’s most up to date planning policy position for the land affected. See Issue 18 General Policy 15: Development Briefs for further explanation of the Council’s position on this issue.

The final developer requirements for INE09 are for footfall generating proposals sequential assessment of city centre options and impact assessment on city centre. The reason for these developer requirements were that whilst the Council accepted that there is limited demand for office space in Inverness and alternative uses may be acceptable on the site, the Council did not undertake a capacity assessment to determine any levels of capacity for additional footfall generating development in Inverness. It was therefore considered appropriate to put the onus on a developer to demonstrate that any footfall generating proposal is suitable for its location and would have an acceptable impact on the city centre, consistent with Scottish Planning Policy. However, it is accepted that it may be overly onerous to require any potentially footfall generating development to undertake these studies, particularly those that are smaller in size or only a proportion of the proposal is made up of footfall generating uses. Given the wide range of scale and nature of uses which may come forward in the future on the site it would be challenging to specify criteria when a sequential assessment and impact assessment would be required. Rather it would be more appropriate for the planning authority to determine when these assessments may be required based on the nature of any proposals. Accordingly, if the Reporter is so minded, then the Council would support an amendment to the final developer requirements to read: ‘for footfall generating proposals sequential assessment of city centre options and impact assessment on city centre may be required.’

Hercules Unit Trust (968628)

The site is intended to be fully integrated with the adjacent Inverness Shopping Park (also known as West Seafield Retail Park) (directly east of the site) by means of active travel, public transport and vehicular access. It is anticipated that given the minimal distance between the site and Inverness Shopping Park (approximately 30 meters by foot and 90 metres from the Shopping Park’s bus stop) that there is a high potential for linked pedestrian trips. Furthermore, there are no obvious new development opportunities within Inverness Shopping Park to allocate new development.

The uses specified in the IEDB’s Indicative Masterplan are business/office use which differs from the uses now supported in the IMFpLDP2. As explained in the response to Hazeldene (Inverness Ltd) representation above, the assertion that the IMFLDP2 will be internally inconsistent with regards the uses specified in the IEDB and the uses supported in the allocation within the body of the Plan has substance. If the Reporter is minded to agree then the Council would suggest that the rolled forward development briefs which will be “physically bound” within the IMFLDP2 document should have any incompatible provisions “greyed out” to indicate the Council’s most up to date planning policy position for the land affected. See Issue 18 General Policy 15: Development Briefs for further explanation of the Council’s position on this issue. This change would allow the allocation in the body of the Plan to take precedence where any inconsistencies arise.

The site has a long planning history. In summary: a planning application (ref:10/02161/PIP) for a mixed use development including restaurants, drive through restaurants, a public house/restaurant and a motorist centre on the site was refused by the Council in 2011 because it was contrary to the Inverness Local Plan [*]. An appeal (ref: PPA-270-2068) was dismissed in 2012 [*]. A further application (ref: 12/04555/PIP) for Connectivity strategy for Inverness Retail, Business and Leisure Park, Stoneyfield Business Park and University Campus, and development of four Class 3/drive-through

units was refused in 2013 for reasons including it was contrary to the Inverness Local Plan and the HwLDP because no sequential assessment or impact assessment had been submitted [*]. An appeal for that application (ref: PPA-270-2094) was also dismissed later that year [*]. A representation to the now aIMFLDP to allocate the site for mixed-uses including business, commercial leisure, restaurants, drive-through restaurants and ancillary commercial activities was made, however the 2015 Examination Report explains that the Reporter did not support any change from business use to sanction commercial leisure or large restaurant development in the absence of evidence on the potential effect on the city centre. The Reporter did accept however that it may be difficult to secure business development on the site and that there may be other uses for which there is a stronger demand but which would not compete with the city centre [*].

The Plan review provided an opportunity to reconsider the uses allocated on the site. A change to the specified uses to allow greater flexibility and viability for development was supported for the following reasons: a significant length of time has now passed since the refusal of the planning applications on the site and the adoption of the IMFLDP; information from the landowners agents Graham and Sibbald found that there is an oversupply of vacant office accommodation within Inverness and the surrounding area and that there are more suitable and attractive sites that can accommodate business use nearby and the site has been vacant and unkempt for a significant length of time and an appropriate development would improve the appearance of the site and provide additional facilities at the retail park. These are considered sufficient justification for the inclusion of additional uses being acceptable on the site.

The site is allocated for business, office, leisure, tourism and storage and distribution uses in the IMFpLDP2. Whilst leisure and tourism are included within the mix of uses, this is not intended to support food and drink uses. This is because food and drink uses and hot food takeaways continue to be considered inappropriate at this location in the absence of any evidence of impact and sequential assessment. The Plan's glossary includes a definition of specified acceptable land uses outlined in allocations based on The Town and Country Planning (Use Classes) (Scotland) Order 1997, including housing, business, tourism, industry, community and retail. Notably, it excludes a definition of leisure or tourism uses. It is considered that it would be beneficial to include a definition of leisure uses consistent with The Town and Country Planning (Use Classes) (Scotland) Order 1997 to help clarify uses that would potentially be acceptable on the site. Tourism uses are not included within the The Town and Country Planning (Use Classes) (Scotland) Order 1997, however for completeness tourism could be included within the Uses glossary. Accordingly, if the Reporter is so minded, then the Council would suggest that the following text is included within the Uses section of the Plan's glossary: 'Leisure: Class 11 Assembly and Leisure, Tourism: Various dependant on site circumstances'. This would provide additional clarify that food and drink and hot food takeaway uses would not be supported on the site.

The final developer requirements for INE09 are for footfall generating proposals sequential assessment of city centre options and impact assessment on city centre. The reason for these developer requirements were that whilst the Council accepted that there is limited demand for office space in Inverness and alternative uses may be acceptable on the site, the Council did not undertake a capacity assessment to determine any levels of capacity for additional footfall generating development in Inverness. It was therefore considered appropriate to put the onus on a developer to demonstrate that any footfall generating proposal is suitable for its location and would have an acceptable impact on the city centre, consistent with Scottish Planning Policy. As explained previously, this allocation does in fact require an assessment of impact on the city centre for footfall generating proposals.

Scottish Environment Protection Agency (906306)

The Climate Change section of the Strategic Environmental Assessment for this site within the Environmental Report does not identify that any areas within the site are at risk of flooding contrary to SEPA's comment[*]. SEPA did not provide any comments regarding a risk of flooding on the site during the Plan preparation process. The site is not shown to be at risk of flooding on the SEPA Flood Maps V2, although there are small areas close to the boundary at risk from surface water flooding [*]. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

INE11: Castlehill

Robert Clinton (1323133)

The Council continue to support the allocation of Castlehill as it forms part of the established spatial strategy for East Inverness and the site is included within the IEDB. The adjacent Inverness Campus provides a generous amount of greenspace and new sports facilities will be provided within the campus. It would therefore be inappropriate to consider allocating the site for uses that differ from its allocation in the IMFpLDP2 and the IEDB.

Castlehill House is a B listed building that lies approximately 15m west of the site boundary. It is set within a large linear garden that extends west from the house. The garden is bounded by attractive mature trees. The IMFpLDP2 East Inverness inset map shows green network notation within the boundaries of the house and its garden.

The developer requirements set out in the IMFpLDP2 for this site are for development in accordance with Policy 15(c) Inverness East Development Brief; Drainage Impact Assessment; Tree Survey and Management Plan; holdback distance of 20m between woodland and development; no construction within root protection area; safeguard the setting of Castlehill House B Listed Building. Development criteria specific to this site and Inverness Campus are also provided within the IEDB.

The IEDB explains that high quality urban design is essential throughout the Inverness East expansion area. Any future masterplan for the site will ensure that key features of the site are reflected in its layout and design. The height of buildings is generally a development management matter that would be considered during any pre-application and planning application process. Boundary treatments between the site and Castlehill House would also be considered in detail during the development management process and would require a balance between security, the setting of the Listed Building and being in keeping with existing boundary treatments.

The IEDB does not show any through access close to Castlehill House.

With regards to impacts on trees, the developer requirements for the site already specify Tree Survey and Management Plan; holdback distance of 20m between woodland and development and no construction within root protection area. These developer requirements, alongside consistency with the IEDB and HwLDP tree related policies are considered to provide sufficient protection for the trees within the garden at Castlehill House.

Greenspace is included within the mix of uses on the site and provision of green space will be required in line with the IEDB and the HwLDP Policy 75 Open Space. This will allow for generous provision of greenspace within the development, including the provision of green networks which will provide physical, visual and habitat connections for greenspaces and therefore ensure accessibility for both people and wildlife.

Given the sites location adjacent to Castlehill House, there is potential for its amenity to be impacted. However, the mix of uses proposed for the site (housing, business, office,

community and greenspace) are generally considered low intensity uses that are unlikely to result in excessive noise or odour being generated. Furthermore, the sites development criteria in the IEDB requires the residential amenity of adjacent neighbourhoods to be respected and inform the design and layout of new development. The HwLDP also includes policies that ensure any noise or odour created are mitigated to acceptable levels. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

INE13: Ashton West

Carol Munro (1312270)

The Council is aware that the landowners of the vast majority of this site do not wish to release the land for development during their lifetimes. Despite this, the site has been an established part of the Inverness East expansion area in a number of local development plans. The site is essential to delivering the East Inverness vision and providing essential infrastructure including East Link. The IEDB recognises this constraint and phases this part of the expansion area as a late phase of development that is dependent upon the delivery of East Link [*]. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

INE14: Cradlehall Court

Calum Murray (1310442) and Elizabeth Murray (1312271)

The site adjoins a Cradlehall local neighbourhood centre which has a number of shops and services. The site is predominately open ground of rough grasses following the east side of the Scretan Burn. The area around the burn and within the west and north of the site is wooded with mature mixed broad leaf woodland.

The developer requirements for the site alongside IMFpLDP2 policies on green networks and nature preservation and enhancement and HwLDP tree and natural, built and cultural heritage policies will ensure that impacts on trees, habitats and protected species are minimised.

It is accepted that the site currently offers a degree of natural amenity to the neighbourhood, however the developer requirements specify that the riparian area must be protected and core paths retained and upgraded. Furthermore, the area to the east of the Scretan Burn is shown in the Plan as protected greenspace. These requirements will allow the wider area to continue to be enjoyed by local residents. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Ian Barke (1310627)

See response to Calum Murray and Elizabeth Murray above. The developer requirements specify a holdback distance of 20m is 'generally' required between woodland and new development. The outcome of the required tree survey and protection plan will determine a more precise holdback distance to ensure that existing trees and woodland are protected and enhanced. The riparian area relevant to this site is the continuous area of woodland to the east of the Scretan Burn that forms the western boundary of the site. Support for developer requirement for no new road junction onto Caulfield Road noted.

Sean Kelly per GH Johnston Building Consultants Ltd (1312507)

Support for principle of allocation and uses specified noted.

The planning history of this site is important to inform the Council's response to this representation which seeks recognition of potential to access the site from Caulfield Road. A planning application (ref:18/00825/PIP) for the development of commercial units and formation of access was refused in October 2018 because the proposed means of

vehicular access (via a new junction off Caulfield Road) did not present a proposal that demonstrates development which integrates with the neighbouring local neighbourhood centre. The decision notice explains that for this reason the application as presented did not fully accord with HwLDP Policies 28 Sustainable Development; 29 Design Quality and Place-making; 34 Settlement Development Areas; 51 Trees and Development; 57 Natural, Built and Cultural Heritage and 58 Protected Species [*].

In its comments on the application the Council's Transport Planning Team highlighted its concern that the development sought to introduce a new junction with substandard spacing from other junctions in an area where it is proven that there are significant issues with speeding traffic. However, it supported the applicant's argument that slowing the speed of traffic in the area so that it is closer to the speed limit will help to mitigate the closeness of the junctions. Therefore, it was prepared to accept new access but only with 'area wide' traffic calming. This is due to the strategic nature of Caulfield Road where isolated traffic calming features would not be appropriate.

It is understood that the reason the landowner did not propose an access into the site from Cradlehall Court was due to third party landownership issues, rather than in the interests of the effective planning of the area.

In 2021 a number of road safety measures were installed on Caulfield Road close to Cradlehall Court. This included dropped kerbs and traffic crossing refuges close to Caulfield Road's junction with Cradlehall Court and another close to the site approximately 70 meters further west. Both these refuges allow for safer crossings for pedestrians to reach bus stops on Caulfield Road, shops and services at Cradlehall Court and Cradlehall Primary School on the south side of Caulfield Road.

Taking into account the above planning history and more recent road safety measures installed on Caulfield Road any new access from Caulfield Road is not supported for the following reasons: only a shared access will allow for meaningful integration by design with the existing neighbourhood centre; introduction of a new access from Caulfield Road conflicts with Council Standards; the newly implemented road safety measures would require to be relocated to facilitate a new junction to the detriment of road safety and active travel and an additional junction would interrupt the continuity of the safer route to school from the Castlehill area to the formal pedestrian crossing to the east. Furthermore any suitable 'area wide' traffic calming scheme to help mitigate a new access would likely incur significant cost to the respondent which may render development of the site unviable.

Scottish Environment Protection Agency (906306)

Accept that information provided by SEPA may mean the site is at risk from flooding. If the Reporter is so minded, then the Council would be supportive of an additional developer requirement that reads the following: 'Flood Risk Assessment (no development in areas shown to be at risk from flooding).'

INE17: Stratton Central

Joanna Matheson (1310461)

INE17 Stratton Central is allocated for mixed use, specifically housing, community and retail. Its indicative housing capacity is 65. The sites developer requirements refer to the IEDB.

The creation of a 'Stratton Centre' at this location is a long standing commitment that is essential to realising the IEDB's vision and delivering its masterplan. The development criteria specific to Stratton (no 8) in the IEDB explains that mixed use development will be located at the junction of Barn Church Road and the Main Street forming a gateway

feature, including public open space. This reflects the mix of uses described in the consented masterplan. Section 7: Phasing of the IEDB explains that this site is expected to be delivered during an early phase of the expansion area. Furthermore, planning consent is already in place for a mix of uses on this site [*]. There is therefore sufficient assurances in place that the site will deliver a mix of uses during an early phase of the wider development. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

INE18: Balloch Farm

Balloch Community Council (1271483)

In both the aIMFLDP and the IMFpLDP2 the land around Balloch Village Hall and adjacent Balloch Primary School is shown as grey land within the SDA. The principle of development on grey land within SDAs is supported by HwLDP Policy 34 Settlement Development Areas. Therefore, provided detailed matters, for example access, design and layout, are appropriate, proposals for community facilities could be supported at this location. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Martin MacLeod (1311902)

The site was shown as grey land within the Inverness SDA in the aIMFLDP. The principle of development on grey land within SDA is supported by the HwLDP. There was therefore no development plan protection for the site to be retained as a green wedge separating Culloden and Balloch.

Planning permission (reference: 19/04213/PIP) for 298 dwellings and associated works on this site was granted in August 2021[*]. Representations to the planning application were considered and reported to the Council's South Applications Committee in January 2020. The principle of development on this site has therefore now been established and would be inappropriate to be revisited. The application was consistent with HwLDP policies. Its landscape strategy illustrates that trees around the site will be retained and form part of the wider green network within the site. The green network includes a number of linked greenspaces. In this sense, it is considered that the development of the site does not conflict with the overarching aims of the Plan.

The site comprises an area of predominantly agricultural land, as such it is not formally recognised as an area for community recreation and has no development plan protection to remain as such. There is a path network close to the site and a number of existing greenspaces nearby for community recreation. Furthermore, the development of the site will provide formal public access to it, including formal and informal spaces for recreation.

Residents of new housing will utilise existing local services. This was explored as part of the planning application and developer contributions towards increased primary and secondary school capacity, community facilities, enhanced paths, road improvements and recycling provision were secured. These contributions allow increased pressure on local services to be adequately mitigated.

Consistent with the HwLDP and Developer Contributions Supplementary Guidance a minimum of 25% affordable housing will be delivered on the site. The Council has no mechanism to secure additional affordable housing given the application has already been determined. It is important that affordable housing is provided in a range of locations throughout Inverness to meet housing needs. Accessibility is a key factor in determining the appropriateness of sites for affordable housing and a significant amount of new affordable housing has been provided within brownfield sites in Inverness City Centre in

recent years.

A significant amount of land is allocated for development at East Inverness, including Stratton Farm, a new town at Tornagrain and a significant land allocation at Croy. These sites plus a number of others lie within the Inverness Housing Market Area. The total capacity of these sites provides sufficient land within this Housing Market Area to meet its Housing Land Requirement and also to provide a range of choice of housing sites. Further detail is provided in Issue 3 Housing Requirements. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Reporter's conclusions:

Reporter's recommendations:

Issue 38	Kiltarlity	
Development plan reference:	Section 4 Places, Kiltarlity Settlement, PDF Pages 246-250	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Catriona Williamson (1310153) Daniel Clark (1310130) Gloag Investments per Savills (1324305) SEPA (906306)</p>		
Provision of the development plan to which the issue relates:	Placemaking Priorities 22, Settlement Map 26 Kiltarlity Development Sites, PDF paragraph 201	
Planning authority's summary of the representation(s):		
<p>Settlement Map <u>Gloag Investments per Savills (1324305)</u> Objects to the non-inclusion of MIR site reference KT05 for housing and community uses because: the village requires a greater medium to a longer term pipeline of housing land to support the longer term viability of its services, in particular the Tomnacross Primary School; there is spare capacity at the primary school to accommodate the development; NPF4 and 2019 Act require Local Planning Authorities to actively plan for repopulation; the site is attractive, centrally located and well screened; it meets the effectiveness criteria in PAN 2/2010 because it is in the respondent's single ownership, there are no physical or other constraints, there are no deficit public funding issues, it is marketable and its serviceable; Kiltarlity is a sustainable settlement and the site is sustainable near bus-stops and shinty pitch, and adjacent to the village hall; the additional land could expand the village hall facility, provide an all-weather sports pitch or a home working hub with electric vehicle charging facilities to complement the shinty pitch; adjoining land can allow much longer term expansion; Kiltarlity is more environmentally sustainable and economically viable than the Council assesses it to be and therefore more land should be allocated e.g. the primary school capacity issue has been overstated because it has room for expansion, recent house completions have been modest, the pupil product from completions has been modest and sustaining existing rural schools is important and endorsed by Scottish Government policy, the Council's 2022 School Roll Forecasts [*] predict that Tomnacross School will now not reach capacity until 2030, and new house completions can be phased by planning permission condition; there is adequate water and sewerage capacity to accommodate the development and serious development proposals will prompt Scottish Water to expand capacity if required (land for expansion is owned by the respondent who could facilitate such expansion); local employment opportunities have been underestimated because there are tourism businesses and home working; the site is within active travel distance of local facilities; Kiltarlity has an hourly Stagecoach bus service during working hours between Inverness and Muir of Ord which connect to rail services to all parts of Scotland; electric car provision is increasing and can make villages like Kiltarlity more sustainable in travel and emissions terms; the site is well linked to the</p>		

existing Core Path Network; other recent permissions will improve the active travel link between Kiltarlity and the A862 helping the longer link to Beaully; Kiltarlity scores well against most of the Scottish Government's Place Standard criteria except play and recreation and this development site could offer a new play area; supply indicative layout [*] that shows that net additional woodland will be provided; other prime farmland has been developed in the village in recent years; and recent housing developments in the village haven't provided community infrastructure and reduced the dependence on commuting whereas this site could.

KT01: Glebe Farm Phase 2

Catriona Williamson (1310153)

Objects to any road connection through between Phase 1 and Phase 2. Instead the road to the school should be widened because it is already congested. The construction period should be shortened because of the disturbance to householders during Phase 1.

Daniel Clark (1310130)

Objects because: loss of privacy; overlooking of respondent's property/garden; increased traffic on village roads; loss of outlook due to proposed housing proximity; construction disturbance and noise pollution; and, better housing sites elsewhere (undefined).

KT02: Glebe Farm Frontage Land

Catriona Williamson (1310153)

Objects to any built development on site because: residents purchasing adjacent properties were told this was the intention; land unsuitable for play park because existing facilities (at the shinty pitch) are in a far better location in terms of access, parking and safety; loss of privacy of existing residents; and, potential noise pollution; wildflower garden; hedging and trees would have higher amenity value.

Daniel Clark (1310130)

Objects to any built development on site because: loss of privacy; noise pollution; construction disturbance; and, higher amenity value if restricted to landscaping, paths, and benches.

KT03: Kiltarlity Parish Church

SEPA (906306)

Objects because of lack of adequate policy safeguard in terms of potential contamination of groundwater. Council have accepted these requirements for other burial grounds allocations.

Modifications sought by those submitting representations:

Settlement Map

Gloag Investments per Savills (1324305)

Allocation of MIR site reference KT05 for housing and community uses but specifically for 46 houses.

KT01: Glebe Farm Phase 2

Catriona Williamson (1310153)

Developer requirements to: clarify that there be no road connection between Phase 1 and Phase 2; for the road to the school to be widened and serve as the road access to Phase 2; and, to limit the construction period.

Daniel Clark (1310130)

Land redesignated as open countryside.

KT02: Glebe Farm Frontage Land

Catriona Williamson (1310153)

Clarification that the site should not accommodate any built development (assumed).

Daniel Clark (1310130)

Clarification that the site should not accommodate any built development (assumed).

KT03: Kiltarlity Parish Church

SEPA (906306)

Additional developer requirement *“Intrusive groundwater investigations to be undertaken in line with SEPA guidance.”*

Summary of responses (including reasons) by planning authority:

Settlement Map

Gloag Investments per Savills (1324305)

See Issue 3 Housing Requirements regarding the Council’s response in disputing the claimed shortfall of effective housing sites. Within the Inverness HMA the Plan’s 10 year, all sector Housing Supply Target (HST) is 4,405 units and corresponding Housing Land Requirement (HLR) 5,726 units. The Council’s 2022 Housing Land Audit (HLA) programmes 6,888 units over a similar 10 year period and this total doesn’t include small windfall developments. Therefore, there is no quantitative deficiency argument for allocating additional housing land. Kiltarlity is a Tier 3 settlement in the Plan’s hierarchy because it has limited capacity in its infrastructure and facility networks, few local employment opportunities, and limited public transport and active travel connectivity to higher order centres and their facilities and opportunities.

Kiltarlity has limited capacity in its networks notably its sewage works and primary school at Tomnacross. The primary school has a physical capacity of 125 pupils and a current (2021/22) roll of 104 or 83% capacity but is forecast [*] to breach its 100% capacity in 2027/28. The local waste water treatment plant has a spare capacity of 42 housing units as of October 2022. It is therefore appropriate to safeguard this limited capacity for a site already allocated in the aIMFLDP, with a planning application pending and a site that should prove more economically viable and environmentally sustainable than the suggested expansion area. The lack of confirmed housebuilder interest in the expansion area is also an indication of doubt about the site’s effectiveness.

Kiltarlity is not an area of Highland experiencing depopulation and its school is not threatened with closure. To the contrary, it is in the pressurised Hinterland within commuting range reach of the Inner Moray Firth’s major work centres. The Council accepts that the site is relatively flat, is attractive, and is centrally located and well screened. However, its development would breach a defined and defensible landscape limit and open up the prospects of development across open fields to the north of the village. It is close to other village facilities but not to the primary school which requires a crossing of the main village road. The suggestion of a community use element is welcomed. The only current need is to relocate the play area at the shinty pitch to free up that land for additional shinty facilities use. The land suggested could have longer term (next Plan review) potential and the respondent could improve its suitability at that time by advance structural planting to subdivide the field and provide a new defensible settlement

boundary. A landowner and developer approach to Scottish Water could also set in train the 7 year process to deliver a new or majorly extended waste water works. Electric vehicle charging facilities can be accommodated within existing parking areas at the village hall and shinty pitch. Tourist accommodation letting and home working employment tends to be part time and will be less important as post pandemic economic recovery continues and greater tax, planning and licensing control curtails the short term let market. The bus service to Muir of Ord and Inverness runs at best on an hourly basis, has a variable reliability record and is not time and price competitive compared to the option of driving. A combined bus and train journey to Inverness or other work centres is even less competitive. The site does have reasonable within settlement active travel connectivity and the Plan seeks improvements to strategic inter-settlement active travel links but these don't provide a justification for a large scale allocation at Kiltarlity. The offers of a play area and additional planting are welcomed but are made without commitment. The suggestion that the proposed development will reduce the settlement's dependence on commuting is a bold claim and again one made without detail and commitment. Accordingly, the Council believes the Plan should remain unaltered in respect of this issue.

KT01: Glebe Farm Phase 2

Catriona Williamson (1310153)

The pending planning application for allocation KT01 [*] shows no vehicular connection between it and the phase 1 houses. The developer requirements require improved active travel connections not vehicular connections. The same application does show widening of the primary school access road. A planning condition to control the length of construction period for a housing development particularly a self-build housing development would be difficult to enforce. Accordingly, the Council believes the Plan should remain unaltered in respect of this representation.

Daniel Clark (1310130)

The land is already allocated for housing development within the aIMFLDP. Therefore, the principle of development has already been established and previously consulted upon. It is a logical next phase of the housing within which the respondent lives and the respondent knew of the likely prospects of the land's development when purchasing the property. Privacy issues can be assessed and mitigated through the development management process. Accordingly, the Council believes the Plan should remain unaltered in respect of this representation.

KT02: Glebe Farm Frontage Land

Catriona Williamson (1310153)

The frontage land is safeguarded for community use within the aIMFLDP, the Plan and by previous planning permissions and a related s75 legal agreement [*]. The south-west third of the site, under the terms of the agreement and connected permission, has potential for built (community use) development. There are ongoing discussions between the local community council, the Glebe phase 1 householders (who will be liable for joint ownership and factoring charges for maintenance of the whole site) and the landowner (who wishes to relinquish ownership and any future maintenance liability) as to who should own and maintain the land (or subdivided parts of it) in the future. These discussions also include debate over whether the community council (or another properly constituted local community body) should acquire ownership and if so then to what use the land should be put. The Council has no strong view on the mix and internal boundary split of community uses across the site. The only evidenced community facility need (apart from the burial ground extension referenced at KT03) is for a play area relocated from its current location at the shinty pitch which is on the edge of the settlement. This relocation would allow

enhancement of shinty facilities adjacent to the pitch. It is unfortunate that, to date, there is no local resident consensus on even a play area use. Given the site's protracted planning history and unkempt appearance simply keeping it neat and tidy would be the low risk solution; i.e., removal of any reference to building or built development in the KT02 developer requirements wording. The Council would support such a change if the Reporter is minded to recommend it.

Daniel Clark (1310130)

See response to Catriona Williamson above.

KT03: Kiltarlity Parish Church

SEPA (906306)

The Council agrees that an additional developer requirement to reference the potential risk of groundwater contamination would be appropriate. The Council would support SEPA's suggested change if the Reporter is minded to recommend it.

Reporter's conclusions:

Reporter's recommendations:

Issue 39	Kirkhill	
Development plan reference:	Section 4 Places, Kirkhill Settlement, PDF Pages 251-255	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Aird Community Trust per George Hogg (1311972) Moureen Macmillan (953445) O'Brien Homes (1323220) Springfield (1147956)</p>		
Provision of the development plan to which the issue relates:	Placemaking Priorities 23, Settlement Map 27 Kirkhill, Development Sites, PDF paragraph 202-203	
Planning authority's summary of the representation(s):		
<p>Placemaking Priorities <u>Aird Community Trust per George Hogg (1311972)</u> Supports but seeks a clearer Plan reference to the development of active travel link between Kirkhill and both Beauly and Inverness. This should also provide for local active travel needs e.g. to access the school or for local recreational use promoting health benefits.</p> <p>Settlement Map <u>Aird Community Trust per George Hogg (1311972)</u> Supports but seeks reaffirmation of active travel proposals both within Kirkhill and from Kirkhill towards Beauly and Inverness (no reasons stated).</p> <p><u>Moureen Macmillan (953445)</u> Objects to Settlement Development Area (SDA) not including site of former mansion house at Clunes which should be suitable for a house and business (hair and beauty salon/spa) because: the land was included within a previous development plan; there was a mansion house [*] on the site for over 100 years; the land is classed as previously developed under HwLDP Policy 42 and the proposed development will bring it back into beneficial use; a site investigation has been undertaken and contamination risks assessed and found capable of mitigation; the business is one suited to a peaceful rural location; there is no equivalent business in the local area so would diversify local choice and complement the local wedding venue at Achnagairn; the existing core path will be safeguarded (albeit realigned around the curtilage of the new property) its condition improved and overgrowing vegetation removed; the site has all service connections; the site is effective in terms of developer funding; the site has a recent history of fly tipping and anti-social behaviour; and, the adjacent house, Tearloch House was built within the garden ground of the mansion house and obtained planning permission.</p> <p><u>O'Brien Homes (1323220)</u> Objects to the non-inclusion of development site KH1 of the aIMFLDP because: it benefits</p>		

from drainage connections [*] which were installed and adopted by Scottish Water under the existing consent 07/00626/FUL in 2009/2010; the site is surrounded on 3 sides by existing housing and reduces the need to expand the settlement into the surrounding countryside; there is a current developer proposal to provide a range of housing types and tenures from affordable, mid-market rent and private housing and a planning application will be ready to lodge by end of 2022; adequate road access can be taken from the existing junction to the B9164; the site is within a sustainable walking distance of the primary school and community centre; the site benefits from the partially implemented planning permission 07/00626/FUL due to the drainage infrastructure having been built to serve the site; and, it complies with the Placemaking Priority to “Consolidate Kirkhill with new development closest to its facilities but to curtail larger, peripheral expansion.”

Springfield (1147956)

Objects to the non-inclusion of development site KH05 of the MIR for housing because: it will endorse a scale of development that can support an active travel link to Beaully and attract new community services and facilities to the village thereby significantly reducing the level of car borne journeys; it will help sustain the local primary school that may otherwise close; all these matters will transform Kirkhill from an unsustainable to a sustainable location for future growth; and, reiterate previous Call for Sites [*] and MIR submissions [*].

Modifications sought by those submitting representations:

Placemaking Priorities

Aird Community Trust per George Hogg (1311972)

Amendment to the Priority to clarify the need for an active travel link between Kirkhill and both Beaully and Inverness and that this link should also provide for local active travel needs e.g. to access the school or for local recreational use.

Settlement Map

Aird Community Trust per George Hogg (1311972)

More explicit Plan support for active travel proposals both within Kirkhill and from Kirkhill towards Beaully and Inverness (assumed).

Moureen Macmillan (953445)

Expansion of Settlement Development Area (SDA) to enclose site of former mansion house at Clunes.

O'Brien Homes (1323220)

Addition of housing development site on land identified as site KH1 in the aIMFLDP.

Springfield (1147956)

Addition of housing development site on land identified as site KH05 in the MIR.

Summary of responses (including reasons) by planning authority:

Placemaking Priorities

Aird Community Trust per George Hogg (1311972)

The Plan's fifth bullet point already references an active travel link between Kirkhill and both Beaully and Inverness. The stated justification for such a link is agreed but justification text is not normally placed within policy wording in a local development plan. It would be more appropriate in a detailed project funding bid or in a detailed case seeking

developer contributions. Accordingly, the Council believes the Plan should remain unaltered in respect of this issue.

Settlement Map

Aird Community Trust per George Hogg (1311972)

Map 4 Active travel Network, General Policy 14 Transport and the fifth Kirkhill Placemaking Priority all promote the general principle of improving active travel connectivity both within larger settlements and between them, and of seeking developer contributions towards such provision. Also, the Plan's main settlement maps include local networks indicatively defined by orange-coloured pecked lines. Finally, larger, relevant allocations include specific active travel provision and developer contribution developer requirements. Accordingly, the Council believes the Plan should remain unaltered in respect of this issue.

Moureen Macmillan (953445)

The Council accepts that a single, well designed house on the site of the former mansion house that safeguards the core path and woodland interests may be acceptable under the terms of the Council's Hinterland countryside policies particularly if it is connected to a business suited to a rural area. However, this scale of proposal does not justify an allocation or extension to the Settlement Development Area (SDA), which would most likely also include adjoining undeveloped land which would not be suitable for infill housing or other built development. However, if the Reporter is minded to agree with the respondent then the Council would suggest that the SDA extension only enclose the site of the former mansion house and its southern driveway.

O'Brien Homes (1323220)

The land is allocated for housing development within the aIMFLDP (site reference KH1). The site is proposed for deletion from the Plan because of doubts about its marketability (until recently its lack of confirmed housebuilder interest), the quantitative sufficiency of other allocated sites within the village and within the Inverness Housing Market Area (HMA), the limited capacity of the local primary school [*] and sewage works [*] both of which are forecast to breach their design capacities, and the third party landownership [*] and/or tree loss problems in creating a suitable vehicular access to the site from the B9164. It is within active travel range of the settlement's facilities albeit they involve crossing the village spine road. It is greenfield but visually self-contained. Site KH02 is under construction and may be completed by the time of the Plan's adoption leaving only smaller, constrained infill sites to deliver a local housing land supply. The Council will be interested to see whether the stated intention to proceed to planning application stage before the end of 2022 materialises. If the Reporter is minded to agree with the respondent and reallocate the site then the Council would suggest the same boundary, land use and indicative housing capacity as site KH1 in the aIMFLDP. Additional developer requirements should include contributions towards local and strategic active travel links.

Springfield (1147956)

See response to O'Brien Homes above. Site KH05 was rejected at MIR stage because of its relative distance to the community centre and primary school, the quantitative sufficiency of other allocated sites within the village and within the Inverness Housing Market Area (HMA), and the limited capacity of the local primary school and sewage works both of which are forecast to breach their design capacities. It is also greenfield, close to high voltage overhead lines and not visually self-contained. The offer of active travel improvements is welcomed but made without commitment. The quantum of

development required to attract new commercial facilities to Kirkhill sufficient to reduce overall car journeys to and from the settlement is far beyond the site's capacity. Similarly, the primary school is projected to breach its capacity and is not threatened with closure. Accordingly, the Council believes the Plan should remain unaltered in respect of this representation.

Reporter's conclusions:

Reporter's recommendations:

Issue 48	Tomatin	
Development plan reference:	Plan sections, PDF Pages 309 - 313	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
Network Rail (1312503) Helen and Andrew Bailey (1312485)		
Provision of the development plan to which the issue relates:	Tomatin, PDF Pages 309 - 313	
Planning authority's summary of the representation(s):		
<p>Placemaking Priorities <u>Helen and Andrew Bailey (1312485)</u> Supports the first five bulleted Placemaking Priorities but makes the following comments:</p> <ul style="list-style-type: none"> • Placemaking Priority 1 - The proposed development at TM03 may end up taking a different form from that granted permission. • Placemaking Priority 2 - The potential for 36 private houses to be built on TM02 does not appear to align with this priority. The need for less affordable housing in Tomatin is already met through planning applications for individual dwellings. • Placemaking Priority 3 – Questions whether the suggested path is in addition to the active travel network to Inverness as stated in the Sustainable transport interventions and seeks clarity on the proposed connection to Inverness. • Placemaking Priority 4 - This is in the very early stages and should not be used as a justification for a medium to large sized housing development at this stage. • Placemaking Priority 5 – Questions why electric charging points and disabled spaces were not provided as part of the community facility development and states this should be a requirement at application stage. <p>Objects to 6 because the greenspace around the core paths in Tomatin, which was safeguarded in the adopted IMFLDP, is no longer being safeguarded as either greenspace or green networks. The greenspace/network around the core paths contains a large amount of juniper bushes which are recognised as being in serious decline. Protecting this space will serve to reduce its vulnerability to further development.</p> <p>Respondent highlights that a substantial portion of the green networks highlighted in the Plan, including suggested use for active travel, is actually railway land immediately either side of the Highland mainline and bounded by fencing, and are thus not designed to be accessible to members of the public.</p> <p><u>Network Rail (1312503)</u> The aspiration to re-open the former railway station is noted, as a means to enhance public transport opportunities for residents, attract business and tourists and reduce traffic on the A9. This is a small settlement and would be subject to a STAG appraisal which</p>		

should consider how the investment made to upgrade to A9 in the area may make car a more attractive transport option than rail.

It is noted that allocation TM04 identifies land around the former railway station for industry and business uses, either alongside or instead of the reinstatement of the railway station. This allocation covers Network Rail owned operational land and sidings whose longer term future need has yet to be confirmed.

TM01: West of Church of Scotland

Helen and Andrew Bailey (1312485)

The name of development site should be amended accordingly as the Church has been removed from the land opposite.

Respondent also highlights the objection from the Council's Flood Risk Management team to the pending application due to concerns of flood risk and the lack of information provided by the applicant. Development sites should be assessed against flood risk prior to inclusion in the Plan. Landowners should deal with flood risk issues prior to gifting the land to the community.

TM02: North West of Railway Viaduct

Helen and Andrew Bailey (1312485)

Respondent objects to the allocation because: 1) there is no evidence of the commitment of the landowner to deliver the development and this puts an unreasonable threat of development on the respondent, who's property adjoins the site; 2) there is no evidence of suitable sewage treatment arrangements, be that Scottish Water providing additional capacity, extension to the existing works or capacity in the existing system; 3) there are likely to be areas at risk of flooding, and no improvements have been made to the drainage since its inclusion in the adopted IMFLDP; 4) as it is proposed to provide private housing only (affordable component is proposed to be on TM01) then it does not align with the 2nd Placemaking Priority; 5) gifting of TM01 for affordable housing is not a suitable justification for the inclusion of TM02, especially given the numerous negative points identified within the Strategic Environmental Assessment site assessment for TM02; 6) need for less affordable housing in Tomatin appears to already be met through planning applications for individual dwellings; 7) The SEA site assessment identified double-negative post-mitigation scores for water and sewerage, and for sustainable transport, alongside other negative scores. The SEA doesn't account for: the altitude of Tomatin and the more severe weather it gets; the shading part of the site gets during the winter; or, the presence of lapwings which have 'Red' RSPB conservation status. 8) the development would not qualify for subsidised full-fibre broadband connection offered by the community development company; 9) the potential opening of the railway station should not be used as a justification for TM02 as it is in the very early stages of discussion; 10) proposed redevelopment of the Former Little Chef site should not be used as a justification for TM02 as there has been little progress in taking it forward; 11) Rather than a large number of less affordable houses built in one site, scattered housing appears to work well in Tomatin.

Respondent points out two mistakes with the boundary of TM02:

- A small section on the south side of TM02 is owned by Network Rail and not the owner of the majority of TM02.
- A portion at the North and East side of TM02 has been compulsorily purchased as part of the A9 dualling work.

TM03: Former Little Chef

Helen and Andrew Bailey (1312485)

Supports the allocation, noting there is an extant permission for the site, but highlights that little progress has been made to deliver the site otherwise and questions its effectiveness.

TM04: Former Railway Station

Helen and Andrew Bailey (1312485)

Supports the allocation but note Network Rail has highlighted in the IMFLDP2 review process that a STAG appraisal needs to be carried out to consider the viability of re-opening the railway station, and that they, as the owners, have no plans for the site.

Modifications sought by those submitting representations:**Placemaking Priorities**

Helen and Andrew Bailey (1312485)

Add land around the core paths as protected green space, as per the adopted IMFLDP, which stated, "Wooded land to the west of the village is important to its setting and for recreation and therefore is safeguarded" and highlighted on the map.

Network Rail (1312503)

Add reference for a STAG appraisal to be undertaken of the potential rail halt.

Amend the settlement map to identify the potential rail halt and how it interacts with allocation TM04.

TM01: West of Church of Scotland

Helen and Andrew Bailey (1312485)

Amend the name of development site.

TM02: North West of Railway Viaduct

Helen and Andrew Bailey (1312485)

Removal of the allocation from the Plan. If the site is taken forward then the same stringent flood risk conditions being applied to TM01 must also be applied to TM02 and it should be amended to remove the sections of land that are incorrectly included in its curtilage.

TM03: Former Little Chef

Helen and Andrew Bailey (1312485)

No modification sought.

TM04: Former Railway Station

Helen and Andrew Bailey (1312485)

No modification sought.

Summary of responses (including reasons) by planning authority:**Placemaking Priorities**

Helen and Andrew Bailey (1312485)

In relation to the comments on the first five Placemaking Priorities:

- 1) Point raised is noted.
- 2) Individual housing has typically taken place in the countryside around Tomatin.

The delivery of housing on an allocated site within the confines of the settlement will help to both reduce pressure on the countryside and ensure that the residents of the housing will be less dependent on car journeys.

- 3) The route between Moy and Tomatin was identified as a priority by the Strathdearn Community Developments Company in their Main Issues Report submission. The reference to a connection between Tomatin and Inverness in the sustainable transport interventions highlights the Council's aspiration to develop better inter-settlement active travel provision. No known assessment work has been undertaken for the route at this stage.
- 4) It is recognised that there are no plans, funding or business case to reopen the station. It has not been used as a justification for allocating land at Tomatin.
- 5) There is not currently a requirement for EV charging facilities to be delivered as part of applications.

The large area of woodland to the west of Tomatin was identified as Greenspace in the adopted Plan to avoid any incremental housing development. However, the Council have attempted to clarify and take a more consistent approach to identifying greenspaces in the new plan. Whilst the woodland does not fit with the Plan's definition of Greenspace, it could be considered to form part of the wider Green Network. If the Reporter was so minded, then the Council would support the area previously should as protected greenspace in the adopted plan to the west of Tomatin being shown as Green Network.

The Green Network notation is a more indicative feature and minor discrepancies such as those highlighted are not particularly important. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Network Rail (1312503)

In recognition of the need for the Scottish Transport Appraisal Guidance (STAG) process to be undertaken to inform decision making on the reopening of a rail halt at Tomatin, if the Reporter was so minded, then the Council would support the following amendment to the 4th Placemaking Priority: "Undertake a Scottish Transport Appraisal Guidance (STAG) study to explore potential for reinstating a rail halt to enhance public transport options for residents, attract business and tourists and reduce traffic on A9."

Given that the rail halt is only an aspiration and, as highlighted above, a STAG study has not taken place yet it is not considered necessary at present to show the rail halt on the settlement map.

TM01: West of Church of Scotland

Helen and Andrew Bailey (1312485)

The name of the site will be amended to 'North of Ard Park' as a non-notifiable modification.

Flood risk is considered as part of the site selection process – see the Environmental Report [*] for further information. In terms of TM01, the Plan already identifies the need for a Flood Risk Assessment and Drainage Impact Assessment to be undertaken. The level of flood risk is less than 50% of the site and is not considered insurmountable to the site's development.

TM02: North West of Railway Viaduct

Helen and Andrew Bailey (1312485)

In response to the issues raised:

- 1) the proposed allocation TM02 formed part of a much larger vision of strategic expansion supported in the adopted IMFLDP. Whilst there are concerns about the deliverability of this scale of development, it is anticipated that a smaller scale proposal would be effective over the plan period. As is proposed, if the affordable housing element is granted permission on TM01, it may also help to ensure the delivery of open market housing on TM02 is more viable.
- 2) Scottish Water have been consulted on the allocation and are content that a viable solution can be delivered to accommodate the development of the site.
- 3) Flood risk and drainage issues have been taken into account when assessing the site and, accordingly, the Plan identifies the need for a Flood Risk Assessment and Drainage Impact Assessment to be undertaken.
- 4) The Placemaking Priority refers to the aim delivering new housing to help bolster the local community. It is not exclusive to affordable housing.
- 5) Tomatin is identified as a Main Settlement due in part to the relatively wide range of facilities for a village of its size. Whilst the strategic expansion of the settlement is no longer deemed suitable, the allocation of land for both affordable and open market housing is important and will help to deliver the Placemaking Priority mentioned above.
- 6) This issue has been addressed above.
- 7) Relevant mitigation has been included in the Plan or in general policies which addresses the issues raised.
- 8) The importance of digital connectivity is recognised, however, the ability to receive subsidised full-fibre broadband connection is not a determining factor in allocating land for development at this location.
- 9) This issue has been addressed above.
- 10) This issue has been addressed above.
- 11) This issue has been addressed above.

TM03: Former Little Chef

Helen and Andrew Bailey (1312485)

Noted

TM04: Former Railway Station

Helen and Andrew Bailey (1312485)

Noted

Reporter's conclusions:

Reporter's recommendations:

Issue 50	Tornagrain	
Development plan reference:	Plan sections, PDF Pages 319 - 323	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Moray Estates per Turnberry (1312468) Woodland Trust (1312249) Gordon Brown (1323131)</p>		
Provision of the development plan to which the issue relates:	Tornagrain, PDF Pages 319 - 323	
Planning authority's summary of the representation(s):		
<p>Tornagrain Placemaking Priorities <u>Moray Estates per Turnberry (1312468)</u> Landowner supports the Tornagrain Placemaking Priorities subject to one objection. The second Placemaking Priority states 'Upgrade the A96 roundabout prior to Phase 2 of development and Transport Scotland to deliver the A96 dualling between Inverness and Tornagrain prior to Phase 3 (unless demonstrated that additional phases can be suited accommodated).' The wording relates to the delivery of two infrastructure works. Clarification to the wording is needed to deal with the circumstances where it is otherwise agreed that the infrastructure improvement is either not required or that additional development can be accommodated without it being in place. As worded, the bracketed wording could also be interpreted that it only applies to the A96 dualling. It should apply to both. Also, the grammar of the phrase in the brackets is not correct; the word 'suited' is unnecessary and can be deleted.</p> <p>TG01: Tornagrain New Town <u>Moray Estates per Turnberry (1312468)</u> The landowner supports the allocation and highlights that within the Developer Requirements reference is made to the approved planning permission 09/00038/OUTIN on 15 May 2019, but that a further planning permission in principle (16/05725/S42) was granted for the new town. This permission is being implemented and it would be worthwhile making a minor change to the text so that it also refers to this other permission in the Developer Requirements.</p> <p><u>Woodland Trust (1312249)</u> Most native woodland has been excluded from the allocation by boundary adjustments or greenspace designation and this is commended. The remaining LEPO woodland at Tornagrain Wood in the west of the site, south of the A96 is non native LEPO. LEPO woodland can develop ancient woodland characteristics over time.</p> <p><u>Gordon Brown (1323131)</u> Having accepted a new town in close proximity to where the respondent lives, he is</p>		

determined to ensure that the existing residents of the area see some advantages and minimal disruption. Respondent highlights that Phase 7 of the masterplan adjoins the existing Tornagrain village, expected around 2050, but that means there will be no direct access to the facilities being created until that time, despite the disruption of major development. Despite the landowner recognising the issue, 15 years later there is still no pedestrian access to the local shop, pharmacy, cafe, railway station, etc, etc for existing residents in the local area. The fuel pipeline and overhead HV cables crossing the site cannot be developed and provide the opportunity to create a path.

Other major issues with the allocation include the lack of visitor parking, lack of pedestrian crossing of the A96 trunk road, drainage issues as part of Phase 7, the landowner has dismissed opportunities for utilising renewable energy. Comparisons are drawn to East Kilbride new town.

Modifications sought by those submitting representations:

Tornagrain Placemaking Priorities

Moray Estates per Turnberry (1312468)

Amend the second Placemaking Priority wording to read "Upgrade the A96 roundabout prior to Phase 2 of development, and (ii) Transport Scotland to deliver the A96 dualling between Inverness and Tornagrain prior to Phase 3 (unless, in either case, it is demonstrated that additional phases/development can be accommodated)."

TG01: Tornagrain New Town

Moray Estates per Turnberry (1312468)

Add reference in the Developer Requirements to planning permission in principle 16/05725/S42.

Woodland Trust (1312249)

Add a Developer Requirement that no development should take place at the remaining LEPO woodland at Tornagrain Wood in the west of the site, south of the A96 without a woodland survey.

Gordon Brown (1323131)

Add a Development Requirement or Placemaking Priority to deliver the proposed path connection to the original Tornagrain village as soon as possible (assumed).

Summary of responses (including reasons) by planning authority:

Tornagrain Placemaking Priorities

Moray Estates per Turnberry (1312468)

It is recognised that the change is subtle but important. As the suggested amendment better reflects the position regarding upgrades to the A96 trunk road and roundabout, if the Reporter is so minded the Council would support the change to the Plan.

TG01: Tornagrain New Town

Moray Estates per Turnberry (1312468)

It is recognised that the planning application referenced as 16/05725/S42 which was granted permission in 2017 allowed the re-phasing of development and referencing this in the Plan would add value. Therefore, if the Reporter is so minded, the Council would support planning reference '16/05725/S42' being added alongside the existing planning reference in the Developer Requirements.

Woodland Trust (1312249)

The issue is recognised and already covered to a large extent by the 6th Placemaking Priority: Preserve and enhance green and blue networks within and around the settlement, particularly areas of native woodland and watercourses, for the benefit of active travel use, water management and biodiversity. However, given the woodland which exists on the site, there is some merit in a more explicit reference. Therefore, if the Reporter is so minded the Council would support an additional Develop Requirement being added for a “woodland survey”.

Gordon Brown (1323131)

The active travel connection between the new town and the original Toranrain village is a valid suggestion. Whilst the phasing of the new town has, to some extent, already been determined through existing applications, the Council would support reference to this connection being added to the Plan to ensure it is considered as part of any future revision or other opportunity. If the Reporter is so minded, then the Council would support the rewording of the 4th Placemaking Priority to: “Enhance active travel connections and other sustainable transport options to key employment destinations, including Inverness Airport Business Park, to the original Tornagrain village, and through the delivery of the A96 Landward Trail and North South Links.”

Reporter’s conclusions:

Reporter’s recommendations:

Issue 51	Economic Development Areas (EDAs)	
Development plan reference:	Plan sections, PDF Pages 324-342	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Alasdair Gillespie (1310451) Andrew Thayne (1324269) Beatrice Vince (1324223) Cyril Smith (1324222) Historic Environment Scotland (HES) (964857) Joan Noble (931076) MoD per DIO (1270246) Nairn Access Panel (1312032) Nairn West & Suburban Community Council (1323971) NatureScot (1266529) Network Rail (1312503) PDG Aviation per GHJ (1312295) Robert Mackenzie (1218607) Steve North (1263190)</p>		
Provision of the development plan to which the issue relates:	Economic Development Areas (EDAs), PDF Paragraphs 324-342	
Planning authority's summary of the representation(s):		
<p>CS01: Castle Stuart <u>Alasdair Gillespie (1310451)</u> HGVS movements around Castle Stuart are damaging the roads and they are not being properly maintained. The HGVS traffic is unsafe on the roads, damaging entrances onto the B9039 and mitigation (in terms of physical repairs, upgrades, debris and dust) is being delivered.</p> <p><u>NatureScot (1266529)</u> Recommend including Developer Requirements: 1) for protecting the features of the Longman and Castle Stuart Bays SSSI; 2) to manage disturbance to qualifying bird species of both the Longman and Castle Stuart Bays SSSI and the Inner Moray Firth SPA. Measures could include nature-based solutions such as planting and careful site design to screen people from birds and to limit access to the shore from this allocation. There are also opportunities to include bird hides and discrete viewpoints of the Bay.</p> <p>FG01: Fort George <u>Andrew Thayne (1324269), Beatrice Vince (1324223)</u> Objects to the land surrounding No.1 and No.2 The Common [*] being included within the allocation because: 1) development will reduce the amenity and quiet nature of the area, result in overlooking and lower their property value; 3) there are ongoing intermittent low</p>		

water pressure problems which would be exacerbated by development; 4) the vegetation provides habitat/biodiversity value and screening from the nearby woodyard.

Historic Environment Scotland (HES) (964857)

Support Housing being added to the list of acceptable uses since the MIR, alongside the other specified uses of Community, Business, Tourism and Retail. Many of the buildings have been used for residential accommodation over a long period of time and adaptive re-use and retrofit could play an important part of a balanced mixed use future.

HES support the Developer Requirements that have been put forward and the recognition of the need to respect the historical integrity of Fort George. As a point of detail the statement “safeguard the fabric, historic character and/or curtilage setting of the Listed Buildings” should read “safeguard the fabric, historic character, curtilage and setting of the Listed Buildings”.

Given the significant historic importance of the site it would also be of benefit for a Conservation Plan to be required in order to ensure that the significance of the asset is understood and to set out how this significance will be retained in the future use and development of the site.

MoD per DIO (1270246)

The DIO supports the allocation of Fort George for the mix of uses proposed because: 1) the site offers the opportunity to create a truly diverse and sustainable community, where people want to live and work; 2) it fits with national and regional policy; and 3) it provides the required flexibility to secure Fort George’s long-term viability, when it becomes decommissioned as a military base.

NatureScot (1266529)

Recommend including a Developer Requirement to protect the features of the Ardersier Glacial Deposits SSSI, Ardersier GCR and the Whiteness Head SSSIs.

The area to the north east of the proposed site is currently an undisturbed part of the Inner Moray Firth due to the restricted access arising from military activity. This area provides a valuable sanctuary for birds that may be disturbed in other parts of the Inner Moray Firth SPA. In relation to the Developer Requirement for a Recreational Access Management Plan (RAMP), NatureScot recommend specifying how the RAMP will ensure that this undisturbed area of the Inner Moray Firth SPA is maintained, and that there will be no adverse effects on the site integrity. Additional requirements for the RAMP should include: 1) assessing the relative importance of the roosts at this location within the context of the wider Inner Moray Firth SPA; 2) undertaking counts to determine current numbers of qualifying birds using this area as a proportion of SPA as a whole; 3) assessing if there are other roost sites nearby that could accommodate birds using these roost sites if they are subject to disturbance and, if so, are any of the alternative roosts also under pressure; 4) quantifying the current level of recreational access along this stretch of coast and set out likely increases above the baseline as a result of the proposed development; 5) and assessing the likely impact of any increased recreational disturbance and set out how a RAMP could be used to effectively manage and mitigate such impacts.

Objects to the Developer Requirement for a coastal protection assessment as such defences could worsen erosion southward towards Ardersier. To resolve this, it is recommended that a Developer Requirement for ensuring development avoids the coastal edge is added, and that the reference to a coastal protection assessment which could lead

to potential coastal engineered works is removed.

IA01: Inverness Airport Business Park

Cyril Smith (1324222)

Suggests the benefit of making a transportation hub at Inverness Airport/Port of Ardersier which will have air, rail and ship freight as this could free up land at Inverness Harbour and bulk materials yards which can be allocated for housing and social requirements.

Nairn Access Panel (1312032)

Highlight the need for hassle free accessible transport links between the new railway station at Dalcross and the airport.

NatureScot (1266529)

Recommend including a Developer Requirement for protecting the features of the Longman and Castle Stuart Bays SSSI.

Network Rail (1312503)

Support the Developer Requirement to improve active travel links to new rail halt.

IA02: Dalcross Industrial Estate Expansion

PDG Aviation per GHJ (1312295)

Objects to the allocation of IA02 because:

- 1) it is inappropriate to allocate and promote land for development in such close proximity to the long-established heliport on the north side of the existing Dalcross Industrial Estate due to impacts it will have on its operation and viability;
- 2) no consideration has been given to the development plan history of the site which includes a Public Local Inquiry as part of the 2003 Inverness Local Plan where most of these issues were examined and the Reporter recommended against the allocation of the land at that time following the submission of evidence from PDG Aviation about the operational requirements for the heliport. Also, the site was considered within the Main Issues Report for the first Inner Moray Firth Local Development Plan (2013) for Temporary Stop Sites for Travelling People but was not taken forward beyond that stage;
- 3) no mention has been given to the operational requirements of the heliport;
- 4) between 2002 and 2006 PDG engaged directly with THC and sought legal counsel opinion which clearly established PDG's continuing rights to overfly the undeveloped grazing land – these discussions have been ignored;
- 5) approved flight paths have consistently been followed and continue to be in operation today;
- 6) aviation industry authority bodies stimulate guidelines for flights in and around airports and heliports and PDG operates helicopters in all three classes and it requires suitable clear areas for helicopters to operate and take off/land safely and with economic efficiency;
- 7) much of IA02 land is used regularly by PDG helicopters and allows for take off/approach to be modified at will for changing wind directions;
- 8) the current no-fly and noise limitation areas were self-imposed by PDG to avoid impacting on neighbouring properties;
- 9) Planning Permission and the permission of landowners is not required to overfly the adjacent field;
- 10) respondent questions the need to allocate land when there is more than enough already serviced land at Inverness Airport Business Park which is allocated for business and industrial development.

WH01: Whiteness

Cyril Smith (1324222)

Suggests to make a transportation hub at Inverness Airport/Port of Ardersier which will have air, rail and ship freight as this could free up land at Inverness Harbour and bulk materials yards which can be allocated for housing and social requirements.

Joan Noble (931076), Nairn West & Suburban Community Council (1323971)

While the prospect of employment again at the Port of Ardersier is welcome, the respondents objects to the allocation supporting major polluting activities (e.g. waste incinerator and a steel mill) just upwind of Nairn and its beaches and golf courses as it will impact on the area's tourism industry and health of residents.

NatureScot (1266529)

Recommends the following Developer Requirements are added: 1) to protect the features of Whiteness Head GCR and the Whiteness Head SSSI; 2) need to refer to the Spit Management Plans and Sediment Movement Plans as agreed at Planning In Principle stage (18/044552/PIP); 3) to prevent the spread of New Zealand pigmyweed (*Crassula helmsii*) through measures for either control or eradication of the invasive non-native species (INNS); 4) Any works in the future to protect the development from coastal change must not result in engineering methods that would damage the Inner Moray Firth SPA or Whiteness Head SSSI.

Steve North (1263190)

Objects to development as the site lies within an extremely environmentally sensitive location raising a whole series of complicated and unpredictable issues which will be extremely challenging to address and which will require significant resources from public bodies to manage successfully - particularly in the long term. Investment based on waterside access along such a mobile and sensitive shoreline is short sighted.

Modifications sought by those submitting representations:**CS01: Castle Stuart**

Alasdair Gillespie (1310451)

Additional mitigation identified within the Developer Requirements to ensure impacts on the road network are fully assessed and offset (assumed).

NatureScot (1266529)

Add the following Developer Requirements: 1) protect the features of the Longman and Castle Stuart Bays SSSI; 2) manage disturbance to qualifying bird species of both the Longman and Castle Stuart Bays SSSI and the Inner Moray Firth SPA.

FG01: Fort George

Historic Environment Scotland (964857)

Replace the Developer Requirement wording "safeguard the fabric, historic character and/or curtilage setting of the Listed Buildings" with "safeguard the fabric, historic character, curtilage and setting of the Listed Buildings.

Add the need for a Conservation Plan to be undertaken to the list of Developer Requirements.

Andrew Thayne (1324269), Beatrice Vince (1324223)

Remove the land surrounding No.1 and No.2 The Common from FG01 [*].

MoD per DIO (1270246)

No modification sought

NatureScot (1266529)

Add a Developer Requirement to protect the features of the Ardersier Glacial Deposits SSSI, Ardersier GCR and the Whiteness Head SSSIs.

Add to the existing Developer Requirement for a Recreational Access Management Plan (RAMP) to specify how the RAMP will ensure the undisturbed area of the Inner Moray Firth SPA is maintained, and that there will be no adverse effects on the site integrity. Specific additional measures should include: "1) assessing the relative importance of the roosts at this location within the context of the wider IMF SPA; 2) undertaking counts to determine current numbers of qualifying birds using this area as a proportion of SPA as a whole; 3) assessing if there are other roost sites nearby that could accommodate birds using these roost sites if they are subject to disturbance and, if so, are any of the alternative roosts also under pressure; 4) quantifying the current level of recreational access along this stretch of coast and set out likely increases above the baseline as a result of the proposed development; and, 5) assessing the likely impact of any increased recreational disturbance and set out how a RAMP could be used to effectively manage and mitigate such impacts."

Replace the existing Developer Requirement for a coastal protection assessment to one which ensures development avoids the coastal edge.

IA01: Inverness Airport Business Park

Cyril Smith (1324222)

Reference to be added that the allocation should become a transportation hub alongside WH01: Whiteness.

Nairn Access Panel (1312032)

Add a Developer Requirement to ensure accessible transport links between the new railway station at Dalcross and the airport.

NatureScot (1266529)

Add a Developer Requirement to protect the features of the Longman and Castle Stuart Bays SSSI.

Network Rail (1312503)

No modification sought.

IA02: Dalcross Industrial Estate Expansion

PDG Aviation per GHJ (1312295)

Removal of IA02: Dalcross Industrial Estate Expansion from the Plan.

WH01: Whiteness

Cyril Smith (1324222)

Reference to be added that the allocation should become a transportation hub alongside IA01: Inverness Airport Business Park.

Joan Noble (931076), Nairn West & Suburban Community Council (1323971)

Remove heavy industry (Class 5 – General industrial) from the list of acceptable uses.

NatureScot (1266529)

Add the following Developer Requirements: 1) to protect the features of Whiteness Head GCR and the Whiteness Head SSSI; 2) need to refer to the Spit Management Plans and Sediment Movement Plans as agreed at Planning In Principle stage (18/044552/PIP); 3) to prevent the spread of New Zealand pigmyweed (*Crassula helmsii*) through measures for either control or eradication of the invasive non-native species (INNS); 4) Any works in the future to protect the development from coastal change must not result in engineering methods that would damage the Inner Moray Firth SPA or Whiteness Head SSSI.

Steve North (1263190)

Removal of the allocation WH01: Whiteness from the Plan

Summary of responses (including reasons) by planning authority:

CS01: Castle Stuart

Alasdair Gillespie (1310451)

The concerns raised by the respondent are noted and the Plan already includes the following Developer Requirement: “Transport Assessment including details of access strategy, road hierarchy and active travel/public transport linkages to wider area. This will ensure that impacts on the road network, including those by HGV, are properly assessed and appropriate mitigation required as part of the development. Accordingly, the Council believes the Plan’s content should remain unaltered in respect of this issue.

NatureScot (1266529)

The features of the Longman and Castle Stuart Bays SSSI are already protected by HwLDP Policy 57 Natural, Built and Cultural Heritage. There is already mitigation derived from the HRA appropriate assessment covering the Inner Moray Firth SPA. Accordingly, the Council believes the Plan’s content should remain unaltered in respect of this issue.

FG01: Fort George

Andrew Thayne (1324269), Beatrice Vince (1324223)

General planning policies will ensure the respondent’s amenity will be suitably protected from any neighbouring development. However, it is recognised that given the mature scots pine woodland which surrounds the 2 houses provides a valuable habitat, the Plan could highlight it better. If the Reporter is so minded, the Council would support the wooded area being shown as a part of the green network.

Historic Environment Scotland (HES) (964857)

Support for the range of uses is noted. In relation to the Listed Building Developer Requirement, it is recognised that the wording suggested by HES is more appropriate. If the Reporter is so minded, then the Council would support the wording by changed to “safeguard the fabric, historic character, curtilage and setting of the Listed Buildings”.

The suggestion of a Conservation Plan being required is also considered appropriate and If the Reporter is so minded, then the Council would support it being added to the list of Developer Requirements.

MoD per DIO (1270246)

Support for the Plan position noted.

NatureScot (1266529)

The features of the Ardersier Glacial Deposits SSSI, Ardersier GCR and the Whiteness Head SSSIs are already protected by HwDLP Policy 57 Natural, Built and Cultural Heritage.

In relation to comments on the Inner Moray Firth SPA and need for a Recreational Access Management Plan, the Plan already includes a related Developer Requirement. It is considered that the level of detail provided in NatureScot's comments relating to the content of the RAMP is not necessary to include in the plan and is better suited to ongoing advice which will take place during the planning application process. Nevertheless, if the Reporter is so minded, the Council would support reference being added to the existing requirement to specify the part of the SPA which NatureScot are particularly concerned about:

“Demonstration through further assessment and identification of suitable mitigation of no adverse effect on the integrity of the /Ramsar, Moray Firth SAC and Moray Firth SPA (particularly the area to the north east which has restricted access due to military activity) as result of loss of or disturbance to or pollution of bird feeding and roosting areas of the Firth linked to the Firth, preparation of Recreational Access Management Plan including satisfactory provision and/or contribution towards open space, path and green network requirements, including mitigation associated with the Inverness to Nairn Coastal Trail, submission of a Construction Environmental Management Plan including method statements and mitigation in relation to: piling (in accordance with JNCC piling guidance);”

It is acknowledged that a Developer Requirement for a coastal protection assessment and any such defences could lead to erosion elsewhere. If the Reporter is so minded, the Council would support the removal of the Developer Requirement for a coastal protection assessment and replacing it with the need for “no development located at the coastal edge”.

IA01: Inverness Airport Business Park

Cyril Smith (1324222)

The Plan already highlighted the strategic importance of the airport business park and Whiteness, particularly from a transport/access point of view. As there are no specific plans to create a hub at this time, it is not suggested that an amendment be made to the Plan. It may be an issue which could be discussed further as part of the upcoming review of the Local Transport Strategy.

Nairn Access Panel (1312032)

The Council recognise the importance of hassle free accessible transport links between the new railway station at Dalcross and the airport. The Council have recently successfully negotiated a segregated shared use path from Torangrain down to the A96. Whilst there is no specific funding to deliver any further enhancements, the Plan already sets requirements for improved active travel provision for IA01: “Improve active travel linkages to key nodes within and outwith the site, including the new rail halt, and local residential centres, such as Tornagrain. Provision of unsegregated shared use paths on either side of airport road and maintenance commitment/improvement of existing cycleway; introduce reduced speed limit on the C107 through the airport and business park;”

NatureScot (1266529)

The features of the Longman and Castle Stuart Bays SSSI are already protected by

HwDLP Policy 57 Natural, Built and Cultural Heritage. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Network Rail (1312503)

Support for the Plan position noted.

IA02: Dalcross Industrial Estate Expansion

PDG Aviation per GHJ (1312295)

The Council values PDG's contribution to the local economy and has considered the legal and planning history as part of the Plan review. It is clearly noted as a significant constraint which will require further discussions with PDG to resolve. However, as set out in the Employment section of the Plan (see pages 50-57), there are significant challenges facing the supply side of the industrial property market. The lack of available land is one of the threats which has been identified. The site benefits from being within Council ownership and adjoining an established industrial estate.

Whilst there are no proposals for the development of the site at present, it is considered that there could be scope for mutual accommodation and the Council wish to allocate the land to allow for flexibility in the future and any change in circumstances. To ensure that the respondent's operational requirements are taken into account, if the Reporter is so minded, the Council would support a Developer Requirement being added along the lines of: "consider the operational requirements of the adjoining heliport."

Other than the suggested amendment above, the Council believes the Plan's content should remain unaltered in respect of this issue.

WH01: Whiteness

Cyril Smith (1324222)

See the response above to IA01 which addresses the same comment.

Joan Noble (931076), Nairn West & Suburban Community Council (1323971)

Whiteness (also known as Port of Ardersier) is a disused major industrial manufacturing yard which was created in the 1970s and closed in 2002. Being one of the UK's largest brownfield ports at nearly 33ha the site has been earmarked industrial redevelopment for nearly 20 years.

As set out in the response within Issue 11: Renewable Energy & Policy 7 Industrial Land, the Council recognise the transformational potential which the green energy industry can have for the region. The strategic importance of the Cromarty and Moray Firths and its existing ports for the renewable energy industry have been highlighted within recent independent reports, such as Scottish Offshore Wind Energy Council's (SOWEC) [Strategic Investment Assessment of the Scottish Offshore Wind industry](#) and [Offshore Renewable Energy Catapult's strategic infrastructure study](#). It notes that with investment, Whiteness is one of the few locations which have capacity to offer all aspects of the fabrication of floating offshore wind substructures.

The site benefits from extant planning permission in principle for re-establishing a port facility focused around the energy industry (18/04552/PIP). New owners acquired the site in 2021 and have presented a renewed vision for the site which centres around a range of different energy related activity, including decommissioning, energy from waste, steel manufacturing, cement production and manufacturing of offshore wind components. Whilst the permission allows for certain aspects to be carried out, it is assumed that a new

planning consent would be required for other proposals. Whilst the allocation supports industrial activities, any specific proposal which does not already have permission will be rigorously assessed, particularly given the environmental sensitivities of the surrounding area. The Developer Requirements, which have been prepared in consultation with the Key Agencies, already set out the fundamental aspects which any developer will need to address.

Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

NatureScot (1266529)

The features of the Whiteness Head GCR and the Whiteness Head SSSI are already protected by HwDLP Policy 57 Natural, Built and Cultural Heritage. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

However, the Council see merit in the other changes requested by NatureScot. Therefore, if the Reporter is so minded the Council would support Developer Requirements being added which make reference to: the Spit Management Plans and Sediment Movement Plans as agreed at Planning In Principle stage (18/044552/PIP); the prevention of the spread of New Zealand pigmyweed (*Crassula helmsii*) invasive non-native species (INNS); any works in the future to protect the development from coastal change must not result in engineering methods that would damage the Inner Moray Firth SPA or Whiteness Head SSSI.

Steve North (1263190)

As noted above, the Council recognise the environmental sensitivities of the site and have carried out extensive engagement with the key agencies in preparing the mitigation set out in the Developer Requirements. These will essentially require an ongoing programme of environmental assessment. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Reporter's conclusions:

Reporter's recommendations:

Issue 52	Growing Settlements	
Development plan reference:	Section 4 Places, Growing Settlements, PDF Pages 342-374	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Boleskine House Foundation (1312524) (Foyers) Cawdor SDT/Estate per GH Johnston (1271536) (Cawdor) Farigaig and Boleskine Residents Association (1312384) (Foyers) Glenurquhart Community Council (1323049) (Balnain) J Gordon per GH Johnston (1312515) (Portmahomack) James Horlick per Ness Planning (1312439) (Inchmore) Julian Cox per GH Johnston (1312292) (Milton of Kildary) Kyra Motley (1312072) (Foyers) McArthurs per Bidwells (1217486) (Ardross) Munro (Highland) Construction Ltd per Urban Animation (1210729) (Newmore/Rhicullen) Scottish Environment Protection Agency (SEPA) (906306) (Barbaraville, Garve, Inver) The firm of Angus MacLean per GH Johnston (1312296) (Marybank) Thomas Raller per GH Johnston (1312290) (Milton of Kildary)</p>		
Provision of the development plan to which the issue relates:	<p>Growing Settlements of Ardross, Balnain, Barbaraville, Cawdor, Foyers, Garve, Inchmore, Inver, Marybank, Milton of Kildary Portmahomack and Rhicullen/Newmore Placemaking Priorities 36, 37, 39, 42, 43, 46, 47, 48, 49, 50, 51 PDF paragraphs 275, 276, 278-279, 283-285, 286, 290, 291, 292, 293, 294, 295 Maps 46, 47, 49, 52, 53, 56, 57, 58, 59, 60, 61</p>	
Planning authority's summary of the representation(s):		
<p>Ardross <u>McArthurs per Bidwells (1217486)</u> Objects to omission of Ardross as a growing settlement because: it is included in the aMFLDP as a similar "other" settlement; it offers several suitable infill development opportunities; it is well connected to facilities and service networks; development there would comply all of the assessment criteria in General Policy 12 Growing Settlements; there is an obvious infill/consolidation opportunity between the 2 large clusters of existing buildings; it is a well established rural settlement; it has community facilities and spare local road capacity; it benefits from defensible boundaries which could be further strengthened with appropriate landscaping; the local school will be sustained by additional houses and pupils; the land could deliver affordable housing and public open space; there are local employment opportunities such as at the recently opened whisky and gin distillery; Ardross is an environmentally sustainable and economically viable location; there was a specific positive land allocation in the Ross and Cromarty East Local Plan; there is market demand for private housing in this area; the central land has no environmental constraints (it is not covered by environmental designations nor likely to</p>		

adversely impact natural heritage); it is non-prime agricultural land with no trees and has a level topography; and, no significant physical risks are present (e.g. land stability, flooding, proximity to health and safety hazards e.g. high pressure gas pipeline).

Balnain

Glenurquhart Community Council (1323049)

Supports requirement for small scale development to underpin retention of local school. Notes that Forestry Land Scotland are proposing vacating site at Balnain and believes this should be considered for housing/mixed use development. Community have indicated requirement for 'mens shed' and extended community amenities.

Barbaraville

SEPA (906306)

Seeks an additional placemaking priority to highlight potential coastal risk because Barbaraville is on the coast and low lying areas of the village are at risk of coastal flooding.

Cawdor

Cawdor SDT/Estate per GHJ (1271536)

Objects to the non-allocation of land at Cawdor, allocated for circa 300 houses and associated mixed uses in the adopted IMFLDP, for the following reasons:

- 1) Housing Land Supply assumptions which have guided allocations within the Plan are unlikely to be sufficient to deal with the needs and demand presented in Cawdor and the wider Inner Moray Firth area over the coming plan period;
- 2) it is a sustainable direction of growth for a well-located community within the long established A96 Growth Corridor;
- 3) lack of understanding and rigour applied in the assessment of this allocation;
- 4) the site can assist in the delivery of a number of key policy aims set out in the Plan and draft NPF4, e.g. 20 minute neighbourhoods;
- 5) there has been considerable amount of work, time, money, and good faith put into the masterplanning process on the Cawdor Expansion allocation as identified in the adopted IMFLDP, including public engagement and site assessments (draft Design Framework provided within original submission) [*];
- 6) There is an extant Planning Consent (Ref:16/02147/FUL) in place on area CD01 (MIR reference) and likely to be a great deal of developer interest in the other 'infill' opportunities which should be identified to give all a degree of certainty in delivering these. By not allocating development it contradicts the term Growing Settlements and leads to uncertainty amongst the community, landowners.

Foyers

Boleskine House Foundation (1312524)

Support expressed for the Plan and makes the following comments:

- 1) Echoes points raised below by Farigaig and Boleskine Residents Association's comments
- 2) Seek clarity on how Farigaig and Boleskine fit within the proposed placemaking of the neighbouring villages of Inverfarigaig, Foyers, Erroglie, Gorthleck and Whitebridge given different nature of the housing, types of development and constraints. Suggests a boundary to the proposed "Growing Settlements" be determined since Farigaig and Boleskine does not meet the infill criteria proposed.
- 3) If the Stratherrick and Foyers Community Action Plan is to be used as a material consideration, it is important that it reflects the interests of the residents, businesses and charities along the Farigaig and Boleskine corridor.
- 4) Supports the restoration and renovation of Boleskine House because it aligns with

wider objectives of the Plan (e.g. enhanced access and biodiversity), it can make a significant contribution to the local economy, it can act as a community hub, and will encourage families and young people to the area.

Farigaig and Boleskine Residents Association (1312384)

Support expressed for the Plan and makes the following comments:

- 1) Queries the boundary edge for north Foyers and highlights that the Farigaig and Boleskine corridor is located south of the Inverfarigaig pass, and spans along the B852 with Foyers Lodge more or less marking the southern edge of the Boleskine postcode.
- 2) The Farigaig and Boleskine area does not fit the same parameters as the villages identified as Growing Settlements and this should be considered in planning decisions.
- 3) Support the Placemaking Priority relating to Boleskine House as it has a significant role for deliver the Plan's objectives and as a community hub.

Kyra Motley (1312072)

Respondent highlights that whilst the Community Action Plan was well delivered, it does not reflect all community interests, e.g. the proposal for the development of Lower Foyers. which 90% of the community nearby object to, and questions the reference in the Plan to it being a "material consideration". Suggests "guidance" is better. Supports the Placemaking Priority relating to better road maintenance and suggests reduced speed limits in certain areas. Supports the Placemaking Priority relating to new housing being infill only and next to exiting clusters of development and not on Loch Ness frontages or fields between well-established houses. Supports the Placemaking Priority relating to Boleskine House redevelopment for commercial uses as it is the only opportunity to create meaningful employment.

Garve

SEPA (906306)

Seeks an additional placemaking priority to highlight potential risk of flooding from the river.

Inchmore

James Horlick per Ness Planning (1312439)

Objects to non-inclusion of Inchmore as a main settlement and the absence of a specific allocation of the respondent's land for development because: Inchmore has been a main settlement in successive previous LDPs and is identified as such in the aIMFLDP including specific development allocations on the respondent's land; a planning application for part (most of IC2 within the aIMFLDP) of the site is pending determination which demonstrates its viability and effectiveness; development of the respondent's land would lend balance to the settlement form and provide scope for additional housing to meet a recognised local need and demand; the development would provide a section in a local and strategic Inverness to Beaulieu active travel link on its frontage; Inchmore has access to local facilities and employment opportunities and has easy, pedestrian, access to the local primary school; Inchmore is served by existing public transport facilities, including a regular bus service providing access to both Beaulieu and Inverness; existing infrastructure has capacity; development at Inchmore would comply with the Plan's general policies and outcomes; the land is suitable for home working units which will reduce the need for travel; the site will deliver at least 25% affordable housing; the development would take housing pressure off the surrounding countryside; and, the viability of the existing village will be enhanced.

Inver

SEPA (906306)

Seeks an additional placemaking priority to highlight potential coastal risk because much of Inver is low lying and at risk of flooding from the sea.

Marybank

The Firm of Angus MacLean per GH Johnston (1312296)

Objects to the Plan's omission of a specific 50 unit housing development allocation on land East of Balloan Road, and South of Ord Road, Marybank because: 27 housing units have already been permitted on part of the land; its second phase could offer self-build opportunities; it will help sustain the local school and hall; it will help meet the housing land supply target; the site is effective and economically viable; it will deliver affordable housing; the land has been allocated for development in previous development plans; it has active and current developer interest from the Communities Housing Trust; it complies with NPF4's 20-minute neighbourhood concept; of the reasons stated in the original Call for Sites and Main Issues Report submissions [*]; a more specific allocation would give more certainty to the community and development industry; the existing permissions for 27 units is more than an infill opportunity which is deemed by the Plan to be the scale of growth appropriate for a growing settlement; the site is in an environmentally sustainable and economically viable location; and, the site would take pressure off other (undefined) less appropriate sites in and around the village.

Milton of Kildary

Thomas Raller per GH Johnston (1312290)

Objects to the lack of specific land allocations in this community because it does not give certainty to existing residents and potential investors particularly in view of the pending Green Freeport status for the Cromarty Firth and expected jobs growth. Seeks land to be allocated to the west of Milton. Supporting statement supplied which refers to respondent's MIR submission and provides a map of the land being sought as an allocation [*].

Julian Cox per GH Johnston (1312292)

Objects to the lack of specific land allocations in this community because it does not give certainty to existing residents and potential investors particularly in view of the pending Green Freeport status for the Cromarty Firth and expected jobs growth. Seeks land to be allocated at Wester Tarbat to the south of Milton. Supporting statement supplied which refers to respondent's MIR submission and provides a map of the land being sought as an allocation [*].

Portmahomack

J Gordon per GH Johnston (1312515)

Seeks the reclassification of Portmahomack in the Settlement Hierarchy as a Main Settlement. Requests the Main Issues Report submission to be read alongside the Proposed Plan objection [*] as no justification was given in Committee papers that the matters raised in it had been understood or considered. The Main Issues Report submission compared the merits of Portmahomack to other similarly classified settlements in respect of size, facilities it supports, relative proximity to other centres, exhausted land stocks for development, its cyclical growth characteristics and its conservation status. Seeks specific plan content for Portmahomack because: it is clearly different from most of the other settlements with which it is grouped, which do not appear to be comparable in their role, scale, urban form and/or position, nor their population base or breadth of economic activity; it has potential to grow which would sustain Portmahomack and support

its services, employment and heritage, securing an appropriate contribution to the suppressed housing demand and deficient land supply which are evident from the HMA forecasts presented. The status of Portmahomack as a settlement with potential for "infill only" would disregard all of the above and unduly restrain and undermine the "viability/sustainability" prospects for a community of its scale, placement and character, which the Council claims to be the basis for "classifying settlements and directing growth". The development plan must direct sustainable development and secure sustainability of its communities. Repositioning of Portmahomack in the Settlement Hierarchy as a main settlement would encourage the community to formulate development proposal of an appropriate size and scale over the 5-10 year timescale of the Plan. Scope for developing land at Bindal Farm could be appropriately appraised acknowledging that it is consistent with the established direction of growth, there are constraints on the seaward land on the western approach into the village, evolving priorities and the shape and structure of the place.

Rhicullen/Newmore

Munro (Highland) Construction Ltd per Urban Animation (1210729)

Objects to non-inclusion of land with development potential for mixed uses including housing and affordable housing. Could deliver improved active travel connections, school expansion, employment opportunities and community uses like allotments. Supporting statement supplied which sets out the MIR submission and provides a map of the land being sought as an allocation [*].

Modifications sought by those submitting representations:

Ardross

McArthurs per Bidwells (1217486)

Addition of Ardross as a Growing Settlement and a placemaking priority to consolidate the two separated neighbourhoods within Ardross (assumed).

Balnain

Glenurquhart Community Council (1323049)

Amended placemaking priorities to reference that vacated Forestry Land Scotland land / buildings in the heart of the village should be considered for housing/mixed use development including a 'mens shed' and extended community amenities (assumed).

Barbaraville

SEPA (906306)

Addition of a placemaking priority: "avoid coastal flood risk".

Cawdor

Cawdor SDT/Estate per GHJ (1271536)

Add 30 ha of land at Cawdor for circa 300 houses and associated mixed uses which was identified as CD01- CD04 in the Main Issues Report, and CD3-CD11 in the adopted IMFLDP. As a minimum, identify sites with existing planning consents in place and the infill opportunities.

Foyers

Boleskine House Foundation (1312524)

Add a boundary to the Growing Settlements.

Farigaig and Boleskine Residents Association (1312384)

No modification sought.

Kyra Motley (1312072)

Replace the reference to the Community Action Planning being a "material consideration" to it being "guidance".

Garve

SEPA (906306)

Addition of a placemaking priority: "avoid flood risk".

Inchmore

James Horlick per Ness Planning (1312439)

Inclusion of Inchmore as a main settlement and the specific allocation of the respondent's land (sites IC1 and IC2 from the aIMFLDP) for (housing) development.

Inver

SEPA (906306)

Addition of a placemaking priority: "avoid coastal flood risk".

Marybank

The Firm of Angus MacLean per GH Johnston (1312296)

A specific 50 unit housing development allocation on land East of Balloan Road, and South of Ord Road, Marybank. Identification of Marybank as a Main Settlement (assumed).

Milton of Kildary

Thomas Raller per GH Johnston (1312290)

Allocation of land at Milton of Kildary.

Julian Cox per GH Johnston (1312292)

Allocation of land at Wester Tarbet, Milton of Kildary.

Thomas Raller per GH Johnston (1312290)

Addition of specific land allocations to the west of Milton. Map supplied [*].

Portmahomack

J Gordon per GH Johnston (1312515)

Reclassification of Portmahomack in the Settlement Hierarchy as a Main Settlement. Specific allocation for development of land at Bindal Farm as per map supplied [*].

Rhicullen/Newmore

Munro (Highland) Construction Ltd per Urban Animation (1210729)

Allocation of land east of Rhicullen for a mixed use development.

Summary of responses (including reasons) by planning authority:

Ardross

McArthurs per Bidwells (1217486)

The Council disputes that Ardross is in an environmentally sustainable and economically viable location to support large scale infill development as proposed by the respondent. The local settlement pattern is one of well separated, sizeable clusters of development. Filling in a large gap between 2 clusters would create a small village. It is accepted that

the school, hall and local employment opportunities lend support to growth but this can still be accommodated through much smaller scale rounding-off of the existing smaller clusters which the Council's countryside policies allow. Ardross is too distant from the higher order centre of Alness to allow easy active travel connectivity and has poor public transport connectivity to it. Alness also has a good range of housing and other land allocations to accommodate local need and demand.

Balnain

Glenurquhart Community Council (1323049)

The existing placemaking priorities support most of what the respondent requests. It is not normal practice for a Highland local development plan to prescribe a specific type of community facility and user particularly where that facility doesn't have a designed and costed scheme and a planning permission. Part of the central Forestry Land Scotland landholding is subject to fluvial flood risk and therefore a more positive reference to the development potential of this particular land would be inappropriate.

Barbaraville

SEPA (906306)

The suggested additional placemaking priority would provide a factual addition without adding unduly to the length of the Plan and would therefore be appropriate subject to the agreement of the Reporter.

Cawdor

Cawdor SDT/Estate per GHJ (1271536)

The Plan's Spatial Strategy and in particular its Settlement Hierarchy sets out a strategic view on where future growth should occur. It takes a more focused approach than previous plans and places emphasis on addressing the Climate and Ecological Emergency and supporting post pandemic economic recovery. As set out in paragraph of the Plan, the Council aims to target future growth at locations which are the most environmentally sustainable and economically viable places: with environmentally sustainable transport choices; where infrastructure network/community facility capacity either exists or can be created at least cost to the public and private sector; and where existing commercial and environmental assets can best be protected and enhanced whether this is safeguarding and improving the viability and vitality of our town and city centres or our natural, built and cultural heritage. The strategic expansion of Cawdor was first identified, along with other small settlements such as Croy, in the A96 Corridor Masterplan finalised in 2006. It formed part of a wider aspiration to encourage large scale mixed use growth along the A96 from Inverness to Nairn. The scale and variety of growth anticipated in the Masterplan was far from being fully realised and the relatively limited development which has been delivered is typically located in the larger settlements. Cawdor does not meet the sustainability considerations highlighted above and is not a suitable place for strategic growth. It has few facilities to support such levels of growth and there is very limited public transport provision, meaning that new residents will be almost entirely reliant on car-based transport. In addition, since Cawdor was first earmarked for development the spare capacity in the school, which was identified in HwLDP as a key reason for supporting development there, has also been taken up. The most recently published School Roll Forecast [*] identifies that the school will require a 2 classroom extension over the forecasting period. Cawdor is identified as a Growing Settlement as there is potential within the village core for some small scale infill and rounding off development. The Plan therefore supports the principle of such development and the Placemaking Priorities will be used as guiding considerations. See Issue 3: Housing Requirements for the Council's response to concerns raised about the amount of

housing land identified in the Plan.

Foyers

Boleskine House Foundation (1312524), Farigaig and Boleskine Residents Association (1312384), Kyra Motley (1312072)

Responding to the Foundation's points above (which are the same matters raised by other respondents) in the same order:

- 1) Noted.
- 2) The Placemaking Priorities for the nearby Growing Settlements of Foyers, Erroglie, Gorthleck and Whitebridge have been identified specifically for those locations and will not be applicable for applications outwith those villages, including Farigaig and Boleskine. Due to the small-scale and more organic nature of development which is likely to emerge in these locations, the Plan does not identify boundaries for each Growing Settlement. The Placemaking Priorities will therefore be guiding criteria for relevant planning decisions. General planning policies will apply outwith these settlements.
- 3) Whilst the Stratherrick and Foyers Community Action Plan is identified as a material consideration, it has not been presented to the local Council committee for endorsement and it is unknown whether there was opportunity for any objector to formally raise issue. Therefore, there is less weight given to the document. It is understood that the Development Trust is beginning to undertake additional work on certain key priorities set out in the CAP, e.g. evidence gathering and more detailed land use planning. This should allow further engagement by the community and interested parties.
- 4) Noted.

Garve

SEPA (906306)

The suggested additional placemaking priority would provide a factual addition without adding unduly to the length of the Plan and would therefore be appropriate subject to the agreement of the Reporter.

Inchmore

James Horlick per Ness Planning (1312439)

In the Plan, Inchmore is reclassified as a Growing Settlement (without specific development allocations and a development boundary) because of the lack of activation of the allocated development sites (IC1 and IC2), the lack of local school (Kirkhill Primary) and sewage works capacity [*], surface water and fluvial flooding issues, the reduced overall housing land requirement, and the desire to direct development to more environmentally sustainable and economically viable locations. Notwithstanding the above, Inchmore is identified as a Growing Settlement within which small scale infill development is supported and the respondent's land is referenced as suitable for such development. Positive overall policy advice [*] has been issued in respect of the current application [*]. That application complies with most of the Plan's Inchmore placemaking priorities but servicing and drainage issues remain to be resolved. A large part of the application site is underlain by blue clay soils which impose significant site preparation cost and surface water drainage challenges. The application is only in principle and no housebuilder partner has been identified to date so there remain doubts about its effectiveness. The respondent's offer to help deliver a section in a local and strategic Inverness to Beaulieu active travel link on its frontage is welcomed but is not a justification for a main settlement classification. Even with a proportion of home-work units the application development will not result in a lower total number of non-sustainable mode

journeys from and to Inchmore. It will just lower the increase in such journeys. Active travel journeys to Kirkhill Primary School are at the distance limit of what might be described as reasonable. The only remaining facility in Inchmore is the public house which relies more on passing than walk-in trade. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Inver

SEPA (906306)

The suggested additional placemaking priority would provide a factual addition without adding unduly to the length of the Plan and would therefore be appropriate subject to the agreement of the Reporter.

Marybank

The Firm of Angus MacLean per GH Johnston (1312296)

The Council disputes that Marybank is in an environmentally sustainable and economically viable location to support large scale development as proposed by the respondent. The local settlement pattern is one of sizeable clusters of development mainly fronting on to the four roads that meet at the village centre. The Plan's fourth Placemaking Priority for Marybank already references the respondent's land as the optimum location for expansion of the settlement. The differences between the Council and the objector are only about scale and phasing. The lack of development to date, despite several permissions granted suggests any allocation would have effectiveness issues. The purpose of the Plan is not to create a balance sheet asset for a landowner but to support proportionate, deliverable development in the correct locations. The interest of an affordable housing agency is known and welcomed but this doesn't justify full and specific Plan support for a speculative second phase. There is no recorded community support for the larger site. The Plan's provisions would support self build plots at this location and this type of development would be appropriate in that it's phasing of completions tends to be far slower than a volume housebuilder scheme.

Milton of Kildary

Thomas Raller per GH Johnston (1312290)

The Plan, in line with the Scottish Government's promoted, proportionate approach to planning issues, includes policy coverage proportionate to the scale and development pressure likely to be seen in settlements.

The Plan's Settlement Hierarchy [*] sets out a strategic view on where future growth should occur, targeting future growth at locations which are most economically viable and environmentally sustainable. In the settlement hierarchy Milton of Kildary is a Tier 5 settlement; Tier 5 settlements are identified as Growing Settlements where in terms of sustainability any development is about bolstering the smallest established rural communities and the scale of growth should be in 'infill' only. There is still support for the principle of infill development, refurbishment of existing properties and redevelopment of brownfield (previously developed) sites. In Growing Settlements, a lesser scale of development is supported than in 'Main' Settlements but a more positive approach than within the open countryside.

The policy framework for the assessing development is clear. Main settlements classed at Tier 1-4 in the Settlement Hierarchy all have SDAs with allocations. Tier 5 settlements are classed as 'Growing Settlements' and proposals will be assessed against Policy 12 Growing Settlements. Any other housing groups not classed as part of a settlement are part of the wider countryside.

Policy 12 Growing Settlements is supportive of suitable proposals and sets out criteria against which proposals will be assessed. Milton of Kildary is a listed settlement and Placemaking Priorities for it are set out. There are many other (arguably better located) housing sites allocated within the Plan and they provide an adequate quantitative supply and qualitative range of sites within the Easter Ross area so there is no exceptional justification for allocating land at Milton of Kildary. Accordingly, the Council believes that no modification should be made in respect of this comment.

Julian Cox per GH Johnston (1312292)

The Plan, in line with the Scottish Government's promoted, proportionate approach to planning issues, includes policy coverage proportionate to the scale and development pressure likely to be seen in settlements.

The Plan's Settlement Hierarchy [*] sets out a strategic view on where future growth should occur, targeting future growth at locations which are most economically viable and environmentally sustainable. In the settlement hierarchy Milton of Kildary is a Tier 5 settlement; Tier 5 settlements are identified as Growing Settlements where in terms of sustainability any development is about bolstering the smallest established rural communities and the scale of growth should be 'infill' only. There is still support for the principle of infill development, refurbishment of existing properties and redevelopment of brownfield (previously developed) sites. In Growing Settlements, a lesser scale of development is supported than in 'Main' Settlements but a more positive approach than within the open countryside.

The policy framework for the assessing development is clear. Main settlements classed at Tier 1-4 in the Settlement Hierarchy all have SDAs with allocations. Tier 5 settlements are classed as 'Growing Settlements' and proposals will be assessed against Policy 12 Growing Settlements. Any other housing groups not classed as part of a settlement are part of the wider countryside.

Policy 12 Growing Settlements is supportive of suitable proposals and sets out criteria against which proposals will be assessed. Milton of Kildary is a listed settlement and Placemaking Priorities for it are set out. There are many other (arguably better located) housing sites allocated within the Plan and they provide an adequate quantitative supply and qualitative range of sites within the Easter Ross area so there is no exceptional justification for allocating land at Milton of Kildary. Accordingly, the Council believes that no modification should be made in respect of this comment.

Portmahomack

J Gordon per GH Johnston (1312515)

The Plan, in line with the Scottish Government's promoted, proportionate approach to planning issues, includes policy coverage proportionate to the scale and development pressure likely to be seen in settlements.

The Plan's Settlement Hierarchy [*] sets out a strategic view on where future growth should occur, targeting future growth at locations which are most economically viable and environmentally sustainable. In the settlement hierarchy Portmahomack is a Tier 5 settlement; Tier 5 settlements are identified as Growing Settlements where in terms of sustainability any development is about bolstering the smallest established rural communities and the scale of growth should be 'infill' only. There is still support for the principle of infill development, refurbishment of existing properties and redevelopment of

brownfield (previously developed) sites. In Growing Settlements, a lesser scale of development is supported than in 'Main' Settlements but a more positive approach than within the open countryside.

Policy 12 Growing Settlements is supportive of suitable proposals and sets out criteria against which proposals will be assessed. Portmahomack is a listed settlement and Placemaking Priorities for it are set out. Not having allocations does not by virtue mean that a community is being denied the opportunity to grow and sustain itself.

Portmahomack is a comparatively large and distinct village but is located on the periphery of the Plan area and experiences very low levels of developer interest. The Plan's primary purpose is to manage and direct development pressure to the most sustainable locations. Therefore, it should concentrate on where development pressure is greatest and where, appropriately, it can be encouraged. Portmahomack is not in need of regeneration, has environmental constraints and is too far from employment centres to be subject to significant development pressure.

There are many other (arguably better located) housing sites allocated within the Plan and they provide an adequate quantitative supply and qualitative range of sites within the Easter Ross area so there is no exceptional justification for allocating land at Portmahomack or for promoting Portmahomack up the settlement hierarchy.

The Council has adequate policy coverage within the HwLDP and in IMFpLDP2 Policy 12 Growing Settlements to assess and judge development proposals in and on the edge of Portmahomack. Accordingly, the Council believes that Portmahomack should remain as a Growing Settlement in the Settlement Hierarchy and that no modification should be made in respect of this comment.

Rhicullen/Newmore

Munro (Highland) Construction Ltd per Urban Animation (1210729)

The Plan, in line with the Scottish Government's promoted, proportionate approach to planning issues, includes policy coverage proportionate to the scale and development pressure likely to be seen in settlements.

The Plan's Settlement Hierarchy [*] sets out a strategic view on where future growth should occur, targeting future growth at locations which are most economically viable and environmentally sustainable. In the settlement hierarchy Rhicullen/Newmore is a Tier 5 settlement; Tier 5 settlements are identified as Growing Settlements where in terms of sustainability any development is about bolstering the smallest established rural communities and the scale of growth should be 'infill' only. There is still support for the principle of infill development, refurbishment of existing properties and redevelopment of brownfield (previously developed) sites. In Growing Settlements, a lesser scale of development is supported than in 'Main' Settlements but a more positive approach than within the open countryside.

Policy 12 Growing Settlements is supportive of suitable proposals and sets out criteria against which proposals will be assessed. Rhicullen/Newmore is a listed settlement and Placemaking Priorities for it are set out. Not having allocations does not by virtue mean that a community is being denied the opportunity to grow and sustain itself.

The Plan's primary purpose is to manage and direct development pressure to the most sustainable locations. Therefore, it should concentrate on where development pressure is

greatest and where, appropriately, it can be encouraged. Whilst Rhicullen/Newmore is located close to the A9, it is not an appropriate place to direct significant levels of housing growth.

There are many other (arguably better located) housing sites allocated within the Plan and they provide an adequate quantitative supply and qualitative range of sites within the Easter Ross area so there is no exceptional justification for allocating land at Rhicullen/Newmore. Accordingly, the Council believes that no modification should be made in respect of this comment.

Reporter's conclusions:

Reporter's recommendations:

APPENDIX 2: STRATEGIC MATTERS

(that may have implications for the Local Committee area)

Issue 1	Vision and Outcomes and Plan General	
Development plan reference:	Section 1 Vision and Outcomes, PDF Pages 28-29	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Abrdn per Phil Pritchett (1312484) Aird Community Trust (1311972) Andrew Ashcroft (1310631) Antonia Wright (1311246) Balloch Community Council (1271483) Bòrd na Gàidhlig (1323448) Broadland Properties per John Wright (1312043) Christine Farrar (1312491) Donald Begg (1312031) Fred Olson Renewables per JLL (1311832) Homes for Scotland (966619) Iain Nelson (1323043) Jane Shadforth (1323040) Joan Noble (931076) Kirkwood Homes per EMAC Planning (1270584) Lidl per Keith Hargest (1312411) Lochardil & Drummond Community Council (1270300) Marcin Blazynski (1310135) Ministry of Defence (1270246) Nairn River Community Council (1312260) Nairn West & Suburban Community Council (1323971) National Trust for Scotland (1312459) NatureScot (1266529) Neil Hornsby (955947) Neil Mapes (1311488) Network Rail (1312503) Paul Bole (1252634) Rachael Probee (1310748) Richard Cole-Hamilton (1271499) RSPB Scotland (1311075) Scottish Government (963027) SSEN (1311702) Tesco per Phil Pritchett (1312483) Woodland Trust (1312249)</p>		
Provision of the development plan to which the issue relates:	Table 1 Topics and Outcomes, claimed omissions from Plan	
Planning authority's summary of the representation(s):		

Table 1 Topics and Outcomes

Andrew Ashcroft (1310631)

Supports outcomes if equal weight given to all outcomes - e.g. environment as well as economy.

Antonia Wright (1311246)

Supports (no reasons stated)

Balloch Community Council (1271483)

Wants reference to protection of marine environment because it is important to tourism and may be compromised by industrial development.

Broadland Properties per John Wright (1312043)

Supports outcomes but Plan should recognise that housing construction industry will be a key driver of economic recovery together with major public sector infrastructure investment.

Christine Farrar (1312491)

Supports but all outcomes are interconnected and should all be achieved, not one at the expense of another.

Donald Begg (1312031)

Outcomes should be realistic not aspirational. Active travel not a realistic option for many people and trips.

Homes for Scotland (966619)

Supports stated outcomes but seeks recognition of the role the housebuilding and construction industry can play in economic recovery together with the City Region Deal and major road investment.

Iain Nelson (1323043)

Supports if no adverse impact on environmental and cultural resources.

Jane Shadforth (1323040)

Support in principle but subject to no impact on wildlife and environment.

Kirkwood Homes per EMAC Planning (1270584)

Wants more emphasis on the economic benefits of the construction industry notably the housing sector. Believes the Plan's combined provisions will make sites unviable. Believes there is an inadequate new and deliverable housing land supply. Asserts that major public investment in the City Region Deal, rail and trunk roads will create jobs led growth that will increase housing need and demand.

Lidl per Keith Hargest (1312411)

Believes Table 1 should be amended so that Inverness services and facilities can be delivered via district/neighbourhood centres not just the city centre because this more local distribution would better reduce harmful emissions, promote active travel and assist community inclusion. This multi-tiered hierarchy is followed in the adopted plan.

Lochardil & Drummond Community Council (1270300)

Supports outcomes but believes there should be tailored ones for each community. Seeks

specific outcomes for West and South Inverness of protecting and increasing greenspace, calming traffic speeds, reducing car use and safer active travel routes. Cumulative Plan growth is excessive relative to previously allocated and still to be delivered sites.

Nairn River Community Council (1312260)

Supports outcomes but too vague, not measurable and no timescales. Outcomes could apply anywhere.

NatureScot (1266529)

Supports Plan's recognition of Nature Crisis but seeks more explicit references in outcome statements to increasing greenspaces and green networks especially where this will increase active travel. Also seeks better thread through Plan to apply outcomes to the general policies and then those policies to individual settlements and sites. Believe Greenspace Audit and Green Networks should better address biodiversity. Still concerned about coastal erosion risks to several coastal allocations. Concerned about several allocations having adverse impacts on European sites.

Neil Mapes (1311488)

Wants outcomes and funding biased towards locally based environmental action groups / projects especially in Nairnshire. The third sector can play a key role in achieving the Plan's outcomes especially in terms of active travel and greenspace provision.

Network Rail (1312503)

Supports especially emphasising that directing development to where there is rail network capacity can assist in sustainability objective.

Rachael Probee (1310748)

Allocations will not achieve Outcomes. Housing sites will erode environmental assets. Existing employers can't fill vacancies. New housing sites won't be affordable. Public transport unreliable and ineffective. Schools and other facilities at capacity. Fix everything else before building more houses.

RSPB Scotland (1311075)

Suggests that tackling the climate and ecological emergency be added to Table 1 as an overarching aim because it cuts across all outcomes.

SSEN (1311702)

Supports but seeks greater recognition of SSE's contribution to delivering net zero, Biodiversity Net Gain (BNG) delivery, improving the national electricity grid network and therefore supporting the economy and national energy security. Seeks avoidance of conflict between its high voltage network and development allocations via Plan references including in the relevant site developer requirements text.

Woodland Trust (1312249)

Supports but the good principles in the outcomes don't always feed through to all site allocations some of which adversely affect woodland with biodiversity value. Ancient woodlands are better carbon sinks than other woodlands and more biodiverse.

Plan General (including claimed, non-development site, omissions from Plan)

Abrdn per Phil Pritchett (1312484)

Objects to the Plan being based on insufficient evidence of the commercial property market. Believes a retail capacity assessment should have been undertaken similar to the

HNDA/HLA. Believes such an assessment would have justified the continued protection and enhancement of Inverness district centres. Believes Inshes Retail Park should be identified as a commercial centre and be protected from out of centre developments. Asserts that Stratton doesn't deserve a protected centre status as there is no commercial development there to date. In comparison Inshes has had previous investment by developers and operators. The Plan should recognise the retail permission commitment at Inshes and large housing growth planned for close to Inshes which will enhance its role as a hub of the local community.

Aird Community Trust (1311972)

Strongly supports promotion of active travel and seeking developer contributions towards such.

Bòrd na Gàidhlig (1323448)

Seeks greater reference to Gaelic (to THC's Gaelic Language Plan, to Gaelic related employment and the tourism draw of Gaelic culture events like the Mod.

Fred Olson Renewables per JLL (1311832)

Seeks recognition of onshore wind energy production as part of energy mix to achieve emissions reduction and therefore contribute to Plan aim of aiding economic recovery and responding to climate change emergency. Cites national policy support for on shore wind energy production.

Joan Noble (931076)

Believes the Plan should have been delayed until the new national planning legislation is operative so that a Local Place Plan (LPP) for Nairnshire could be prepared and influence the subsequent local development plan. That LPP for Nairn would emphasise reusing brownfield land/buildings, local employment to reduce commuting, local facilities and services to reduce travel, and infrastructure first especially the bypass. The LPP would ensure that planning policy is led by the local community not by developers.

Marcin Blazynski (1310135)

Unclear comment which may be intended as support for the recent Inverness West Link road scheme or a less complimentary comment on recent development in Inverness.

Ministry of Defence (MoD)(1270246)

Seeks an additional general policy to protect MoD assets via reference to the consultation and safeguarding zones necessary to protect the operation of these assets from interference to flight movements (e.g. from tall structures and wetland habitat creation), explosion risks and interference to any other defence activity or development potential of any defence asset. Supports viability assessment option for development proposals to allow developer contributions exemptions.

Nairn West & Suburban Community Council (1323971)

Believes the Plan should have been delayed until the new national planning legislation is operative so that a Local Place Plan (LPP) for Nairnshire could be prepared and influence the subsequent local development plan.

National Trust for Scotland (NTS) (1312459)

Seeks greater recognition for NTS assets such as Urquhart Castle and Culloden Battlefield because of importance to: sense of place; tourism economy; cultural history; and, local landscape.

Neil Hornsby (955947)

Wants Plan outcomes specifically to reflect the 20 minute neighbourhood concept embodied within NPF4 particularly by more local services and facilities being provided. Believes the Plan should ensure the retro fitting of existing communities with greenspaces and active travel opportunities as much as shaping new development.

Paul Bole (1252634)

Seeks moratorium on all new development until sufficient infrastructure and facility capacity is available. The Plan's proposed scale of expansion will bring no benefits to existing residents but lots of adverse impacts/costs in terms of infrastructure capacity, natural heritage impacts, noise and other pollution, and loss of farmland for local food growing.

Richard Cole-Hamilton (1271499)

Active travel routes should only be taken forward if there is support from the community directly affected. Concerned about a particular proposed active travel route at Drakies, Inverness where local residents have unanimously rejected it.

Scottish Government (963027)

Seeks additional general policies because these are required by Scottish Planning Policy and/or NPF4. Seeks additional policies on protecting good farmland, climate change and coastal planning, zero waste, and gypsy travellers.

Tesco per Phil Pritchett (1312483)

Objects to the Plan's lack of a retail hierarchy that protects district centres. Asserts that national guidance requires such a hierarchy, that there is a lack of evidence in the form of a retail capacity assessment to justify the dropping of district centres, that retail developers and operators should expect such protection because of prior and planned and permitted investment in these district centres. Disputes Plan's reference to Stratton town centre when it has no development there to date. Believes Inshes has far more merit for protected centre status because it is central to existing and new residential expansion areas and meets the Scottish Government's 20 minute neighbourhood concept.

Modifications sought by those submitting representations:

Table 1 Topics and Outcomes

Andrew Ashcroft (1310631)

Addition of statement to clarify that equal weight will be given to each outcome in decision making by the Council (assumed).

Antonia Wright (1311246)

None (assumed).

Balloch Community Council (1271483)

Addition of reference to protection of marine environment as important to tourism (assumed).

Broadland Properties per John Wright (1312043)

Addition of reference to role of construction industry as a key driver of economic recovery (assumed).

Christine Farrar (1312491)

Addition of statement to clarify that all outcomes should be achieved not one at the expense of another (assumed).

Donald Begg (1312031)

Rephrasing of outcomes so that they are realistic not aspirational (assumed).

Homes for Scotland (966619)

Addition of reference to role of housebuilding and construction industry in economic recovery and reference to role of City Region Deal and major road investment in economic recovery (assumed).

Iain Nelson (1323043)

Addition of qualification that there should be no adverse impact on environmental and cultural resources (assumed).

Jane Shadforth (1323040)

Addition of qualification that there should be no impact on wildlife and environment (assumed).

Kirkwood Homes per EMAC Planning (1270584)

Addition of reference to economic benefits of the construction industry notably the housing sector and that economic growth is dependent upon allocating more land for housing development and not imposing policy requirements that make that land unviable (assumed).

Lidl per Keith Hargest (1312411)

Amendment to Table 1 to support the growth of communities and connectivity centred on district/neighbourhood centres as well as town centres (assumed).

Lochardil & Drummond Community Council (1270300)

Addition of specific priorities for West and South Inverness (assumed).

Nairn River Community Council (1312260)

Rephrasing of outcomes so that they are more specific to local places (assumed).

NatureScot (1266529)

Delete "where possible" from last sentence of Environment outcome. Reword second sentence of Growing Communities outcome to add reference to "green and open spaces." Amendments to Table 1 to increase the decision making weight given to natural heritage interests. A commitment to a more explicit and consistent application of the principles of the Plan's General Policies to individual settlements and sites. Amendments to the Plan's Greenspaces and Green Networks so they better address biodiversity. Addition of a recognition (and mitigation) that certain Plan allocations will cause coastal erosion risks and have adverse impacts on European sites (all assumed).

Neil Mapes (1311488)

Rephrasing of the outcomes and any related funding towards locally based environmental action groups / projects especially in Nairnshire (assumed).

Network Rail (1312503)

Addition of statement that directing development to where there is rail network capacity

can assist in sustainability objective.

Rachael Probee (1310748)

Addition of statement that the listed outcomes won't be achieved by the Plan's allocations (assumed).

RSPB Scotland (1311075)

Addition of overarching environmental aim to Table 1.

SSEN (1311702)

Addition of reference to SSE's contribution to delivering net zero, BNG delivery, improving the national electricity grid network and therefore supporting the economy. Addition of wider Plan references to avoiding conflict between high voltage network and development allocations.

Woodland Trust (1312249)

Addition of a recognition (and mitigation) that certain Plan allocations will adversely affect woodland with biodiversity value (assumed).

Plan General (including claimed, non-development site, omissions from Plan)

Abrdn per Phil Pritchett (1312484)

A commitment to a commercial property (retail capacity) assessment for the Plan area. Inshes Retail Park identified as a commercial centre and its protection from out of centre development. Deletion of any Plan reference to Stratton as a protected centre. Addition of a statement recognising the extant retail permission at Inshes and housing growth planned close to Inshes (all assumed).

Aird Community Trust (1311972)

Addition of text linking the promotion of active travel and seeking developer contributions towards such (assumed).

Bòrd na Gàidhlig (1323448)

Additional references to Gaelic (to THC's Gaelic Language Plan, employment should reference Gaelic related employment and tourism draw events like the Mod).

Fred Olson Renewables per JLL (1311832)

Addition of text recognising onshore wind energy production as part of the energy mix necessary to achieve emissions reduction.

Joan Noble (931076)

Abandonment of the current Plan process so that the local community can prepare their Local Place Plan (LPP) first and lead the local planning of Nairnshire. This new LPP will emphasise reusing brownfield land/buildings, local employment to reduce commuting, local facilities and services to reduce travel, and infrastructure improvements before any significant new build development (all assumed).

Marcin Blazynski (1310135)

Unclear.

Ministry of Defence (MoD)(1270246)

Addition of cross reference to MoD hazard zones and their consultation areas, a new general policy restricting new wetland habitat creation within aerodrome consultation

areas, and a new general policy on protecting the operational role of existing MoD sites.

Nairn West & Suburban Community Council (1323971)

Abandonment of the current Plan process so that the local community can prepare their Local Place Plan (LPP) first and lead the local planning of Nairnshire. This new LPP will emphasise reusing brownfield land/buildings, local employment to reduce commuting, local facilities and services to reduce travel, and infrastructure improvements before any significant new build development (all assumed).

National Trust for Scotland (NTS) (1312459)

Addition of references to NTS assets such as Urquhart Castle and Culloden Battlefield because of their importance to: sense of place; tourism economy; cultural history; and, local landscape.

Neil Hornsby (955947)

Addition of reference to 20 minute neighbourhood concept particularly by more local services and facilities being provided.

Paul Bole (1252634)

A moratorium on all new development until a proper infrastructure/facility capacity assessment has been undertaken.

Richard Cole-Hamilton (1271499)

Addition of a qualification that active travel routes will only be supported by the Council if also supported by the community directly affected.

Scottish Government (963027)

Addition of general policies on protecting good farmland, climate change and coastal planning, zero waste, and gypsy travellers.

Tesco per Phil Pritchett (1312483)

A commitment to a commercial property (retail capacity) assessment for the Plan area. Amendment to the retail hierarchy so that district centres are protected. Deletion of any Plan reference to Stratton as a protected centre (all assumed).

Summary of responses (including reasons) by planning authority:

Table 1 Topics and Outcomes

Andrew Ashcroft (1310631)

The Plan's outcomes are a distillation of Scottish Government and Highland outcomes tailored to the Inner Moray Firth area. In decision making they will function like any criteria based policy; i.e., any proposal will be assessed as to how well it accords with each outcome or aim and all other parts of the approved development plan relevant to that proposal/site. Therefore, the relative weighting will vary by proposal/site. For example, a proposal that adversely affects a European natural heritage designation is very unlikely to accord with the Environment outcome.

Antonia Wright (1311246)

Noted.

Balloch Community Council (1271483)

Control of pollution of the marine environment is an important consideration but one that is

largely outwith the Plan's remit. When prepared, regional marine plans will be a more relevant policy consideration. Because of coastal flooding issues, the Plan has very few coastal development allocations and almost all of these are for uses that need access to the sea. Public sewer connectivity developer requirements apply to these allocations and therefore potential marine pollution issues should be minimised or eliminated. Expansion of the Plan area's ports to service expansion of the renewable energy industry may create potential issues but any significant proposals will be EIA developments and be fully assessed as such.

Broadland Properties per John Wright (1312043)

See Issue 3: Housing Requirements regarding the role of the housing sector in supporting economic recovery. The Council recognises that the construction sector is very important to the Plan area economy and the Employment outcome wording already references that sector.

Christine Farrar (1312491)

Support noted. See response to Andrew Ashcroft above.

Donald Begg (1312031)

The Plan's outcomes are a distillation of Scottish Government and Highland outcomes tailored to the Inner Moray Firth area. Combined they are intended to express a desirable vision for the future of the Plan area. Visions by their very nature are aspirational not a roll forward of past trends. The rest of the document and the Delivery Programme set out the detail of more practical measures to implement the Plan and make progress towards achieving the vision.

Homes for Scotland (966619)

Noted. See Issue 3: Housing Requirements regarding the role of the housing sector in supporting economic recovery. The Council recognises that the construction sector is very important to the Plan area economy and the Employment outcome wording already references that sector.

Iain Nelson (1323043)

Support noted. See response to Andrew Ashcroft above.

Jane Shadforth (1323040)

Support noted. See response to Andrew Ashcroft above.

Kirkwood Homes per EMAC Planning (1270584)

See Issue 3: Housing Requirements regarding the role of the housing sector in supporting economic recovery. The Council recognises that the construction sector is very important to the Plan area economy and the Employment outcome wording already references that sector. See Issue 13: GP9 Delivering Development and Infrastructure regarding the response to the Plan's impact on developer viability.

Lidl per Keith Hargest (1312411)

The issue of the appropriateness of the Plan's hierarchy of commercial (and other destination use) centres is responded to within Issue 15: GP6 Town Centre First and the Inverness settlement Schedule 4s. The Employment, Growing Communities and Connectivity outcomes all reference the need to locate services and facilities close to the people who need to access them to maximise convenience, viability and to reduce the need to travel and therefore reduce harmful emissions

Lochardil & Drummond Community Council (1270300)

Support noted. Tailored outcomes specific to each settlement are included elsewhere in the Plan as Placemaking Priorities. See Issues 34 and 35 for West and South Inverness specific matters. See Issue 3: Housing Requirements regarding the level of housing growth allocated for within the Plan area.

Nairn River Community Council (1312260)

See responses to Andrew Ashcroft and Donald Begg above.

NatureScot (1266529)

Support noted. The four outcomes are not policies in themselves and are intended to set out a cross cutting vision rather than be specific to a particular land use or subject matter. Greenspaces and green networks have their own general policies which reference their recreational and accessibility benefits. If the Reporter is minded to recommend a Plan modification in respect of this representation then the Council would support adding “particularly in terms of greenspaces and green networks that improve active travel connectivity” to the end of the last sentence of the Environment outcome. The Council believes that there is a logical thread through the Plan content in terms of environmental matters. Most of that thread has been generated by the SEA/HRA process, in which NatureScot has been active participant. See Issue GP4: Safeguarding Greenspace and Issue GP5: Green Networks regarding the role of biodiversity in their identification. There are very few coastal allocations in the Plan. Many of these are proposed expansions of established ports. Land at Shandwick can incorporate a coastal setback, land at the Longman landfill site already has a substantial and recent coastal defence, and land at Alness Point is an established business park which benefits from a “locked-on” in perpetuity planning permission. The Plan’s accompanying HRA document [*] sets out a detailed record of the consideration of potential adverse effects on European sites.

Neil Mapes (1311488)

See responses to Andrew Ashcroft and Donald Begg above. The collection and use of community facility developer contributions is discussed in Issue 13 GP9: Delivering Development and Infrastructure but under current arrangements local environmental groups need to bid against other community groups through the Delivery Programme process to obtain a share of those contributions which are ringfenced to the local high school catchment (which approximates to the boundary of Nairnshire). The Council agrees that active travel and greenspace projects can help deliver the Plan’s outcomes.

Network Rail (1312503)

Support noted.

Rachael Probee (1310748)

See Issue 13 GP9: Delivering Development and Infrastructure for the Council’s response to those respondents desiring an embargo on all new build housing development until all infrastructure and facility networks are improved to a capacity that will support new building. Such an embargo would be impracticable without a radical increase in public and private investment in those networks and/or a central and local government and judicial system commitment to enforce it. It would also, other things being equal, be likely to limit the availability and therefore the affordability of new houses and hamper economic growth.

RSPB Scotland (1311075)

As the 4th sentence of paragraph 22 of the PDF version of the Plan describes, tackling the

climate and ecological emergency and enabling post pandemic economic recovery are the two overarching aims of the Plan. If the Reporter is so minded then the Council would support emphasising this primacy by adding an extra row to the start of Table 1 to highlight the two overarching aims.

SSEN (1311702)

Support noted. Although welcome and significant, singling out SSE's particular role in tackling the climate emergency, supporting the economy and national energy security would be inappropriate in a statutory council policy document. Also, this front end of the Plan is not the correct place to reference a development setback from infrastructure networks for health, safety or other operational reasons. Policy 30 Physical Constraints of the HwLDP and its related Supplementary Guidance provides adequate general policy coverage on this issue. The high voltage electricity transmission network is a mapped constraint within the Council's development management software system and triggers a consultation with SSEN on individual applications in close proximity to that network.

Woodland Trust (1312249)

Support noted. It may not be possible to contribute towards all outcomes for all allocations. The SEA process and its individual site records assess potential environmental conflicts and define mitigation which is followed through to developer requirements for individual sites. Particular allocation-specific woodland conflicts are responded to within each respective settlement Schedule 4. Natural or semi-natural woodlands are more biodiverse and better carbon sinks than plantation woodlands but some areas mapped as ancient woodland have been clear felled without any replanting commitment and therefore, currently, offer little biodiversity or carbon capture value.

Plan General (including claimed, non-development site, omissions from Plan)

Abrdn per Phil Pritchett (1312484)

National planning and transport policy is evolving. Against this fluid context, the Plan's Spatial and Transport Strategies aim to identify and protect an optimum network of centres. By optimum, the Council means economically viable for the operators in terms of available catchment spend (not for particular landowners or property developers) and environmentally sustainable in terms of maximising travel to, from and within each centre by sustainable modes. Both of these requirements also mean enabling and protecting centres with retail (and other footfall generating) provision that are diverse and attractive enough to prevent longer journeys by unsustainable travel modes – i.e. are competitive in terms of price, quality, range and service. The primary goal of both approved and emerging Scottish Government planning and transport policy is to encourage LPAs to identify, support through permissions, and then protect an optimum network of "town" centres. "Town centres" are defined in paragraph 62 of Scottish Planning Policy (SPP) as those that are genuine mixed use, day-long meeting places with good sustainable travel mode accessibility and architectural or other attractive character. SPP does allow the identification of other, lower preference centres. The Plan differs from approved Highland LDP policies by proposing not to continue to identify and protect the Inverness district, neighbourhood and commercial centres listed in Policy 1 of the aIMFLDP. The reasons for so doing is that these lower tier centres don't meet all the SPP "town centre" definition criteria, most have no architectural merit, most are designed for car borne shoppers, and by removing protection from them the Council will encourage the introduction of residential uses at ground floor level within them, which, other things being equal, could increase sustainable mode travel.

From the information supplied within recent developer produced retail impact

assessments, the Council doesn't dispute the quantitative need for more convenience retail floorspace across Inverness. It therefore hasn't commissioned a retail capacity assessment for the Plan area. It does dispute (with this and some other respondents on this topic) the optimum location for such provision and has allocated a choice of sites with a commercial component to satisfy this demand. Existing Inverness retail parks benefit from legacy permissions and meet some of the SPP "town centre" criteria tests so are unlikely to be in need of protection from out of centre commercial development if it is proposed on a less sustainable site. The Council's commercial component allocations at Stratton/Ashton reflect an extant planning permission and/or an adopted LDP allocation. It is appropriate for the Council to plan for future mixed use hubs so long as they are central to the neighbourhood / district served and can be designed from the outset as a centre that can meet the SPP tests. See Issue 35 South Inverness for the Council's response to the place-specific matters at Inshes Retail Park.

Aird Community Trust (1311972)

Support noted. Policy 14 Transport is far more explicit than the approved LDP for Highland in seeking active travel developer contributions.

Bòrd na Gàidhlig (1323448)

The four outcomes are not policies in themselves and together with the rest of the front end of the Plan are intended to set out a cross cutting vision rather than be specific to a particular land use or subject matter. However, Gaelic culture and heritage is an important source of local identity and an economic asset. If the Reporter is minded to recommend a Plan modification in respect of this representation then the Council would support adding "including those that demonstrate the area's Gaelic heritage" to the end of the first sentence of the Environment outcome.

Fred Olson Renewables per JLL (1311832)

The four outcomes are not policies in themselves and together with the rest of the front end of the Plan are intended to set out a cross cutting vision rather than be specific to a particular land use or subject matter. The Council accepts that onshore wind energy production does play a significant part in contributing to the twin Plan aims of addressing economic recovery and the climate change emergency. However, the Plan is an area LDP within Highland and contains no general policy or locational guidance in respect of onshore wind energy. The Council's forthcoming review of its general Policy 67 Renewable Energy Developments in the HwLDP will provide a more appropriate avenue to consider the respondent's concerns.

Joan Noble (931076)

The Plan has reached an advanced stage and is already the culmination of considerable input from local residents, statutory consultees, the development industry, councillors and officers. Scottish Government transitional provisions allow the Council to proceed to the Plan's adoption without pausing for Local Place Plan (LPP) or even NPF4 input. Indeed, NPF4 approval has been delayed for at least 6 months from its original deadline and the new LDP regulations and guidance at least until the start of 2023. The aIMFLDP is already over 7 years past its adoption date and a "new-style" replacement wouldn't be likely to be adopted and supersede it until 2026 at the earliest when the aIMFLDP provisions would be 11 years old. The Inner Moray Firth LDP area is the most populous of the 3 Council produced plans that cover Highland, experiences the most development pressure and is most crucial to economic growth. A "new-style" LDP for all of Highland will formally commence in 2023 and invite early LPP input so Nairnshire community groups will be able to influence that plan at that time.

Marcin Blazynski (1310135)

The representation is so unclear that no response is offered.

Ministry of Defence (MoD)(1270246)

Support for viability assessments noted. The four outcomes are not policies in themselves and together with the rest of the front end of the Plan are intended to set out a cross cutting vision rather than be specific to a particular land use or subject matter. The Council accepts that the operational capability of MoD assets should not be compromised by any development proposal. Policy 30 Physical Constraints of the HwLDP and its related Supplementary Guidance [*] which already references defence sites provide adequate general policy coverage on this issue. Also, the MoD are already consulted through the development management process on applications within defined safeguarding areas. The Council's forthcoming "new-style" LDP for Highland would be a better vehicle to assess the need for a fuller or updated general policy on this topic.

Nairn West & Suburban Community Council (1323971)

See response to Joan Noble above.

National Trust for Scotland (NTS) (1312459)

The Council recognises the built and cultural heritage and tourism value of NTS assets within the Plan area however it would not be appropriate to single out NTS owned and managed assets above those managed by Historic Scotland or by private interests.

Neil Hornsby (955947)

Sustainable travel mode accessibility is a key theme of both the Growing Communities and Connectivity outcomes. Presently, NPF4s definition of the 20 minute neighbourhood concept is a work in progress but if the adopted version of NPF4 provides clarity then the Council would support a Reporter recommendation to reference it within the front end of the Plan perhaps most suitably within Table 1. Retrospective developer contributions are impracticable unless referenced in some way in a previous planning permission and/or legal agreement. New developer contributions should be used to offset the impact of new development not resolve existing, unrelated deficiencies.

Paul Bole (1252634)

See Issue 13 GP9: Delivering Development and Infrastructure for the Council's response to those respondents desiring an embargo on all new build housing development until all infrastructure and facility networks are improved to a capacity that will support new building. Such an embargo would be impracticable without a radical increase in public and private investment in those networks and/or a central and local government and judicial system commitment to enforce it. It would also, other things being equal, be likely to limit the availability and therefore the affordability of new houses and hamper economic growth. Other potential adverse effects of the Plan's policies and allocations have been assessed and suitable mitigation specified.

Richard Cole-Hamilton (1271499)

See Issue 35: South Inverness, Site INS01 for the detail of the Council's response to the particular active travel connection at Drakies. In short, the Council believes the link is desirable in terms of the significant improvement in direct active travel connectivity it would bring. However, the Council recognises the constraints in securing the link and is not taking forward a project of its own to provide the link. It may be possible through negotiation with the applicant to provide an alternative link through site INS01.

Scottish Government (963027)

Currently, Highland has two tiers of LDPs. Most strategic content including comprehensive general policy coverage is contained within the HwLDP. Most local planning policy coverage is provided within the 3 area LDPs that sit beneath it. The requested policy subject matters are already covered between the Plan and the HwLDP.

Tesco per Phil Pritchett (1312483)

See response to Abrdn per Phil Pritchett above.

Reporter's conclusions:

Reporter's recommendations:

Issue 2	Spatial Strategy	
Development plan reference:	Section 2 Spatial Strategy, PDF Pages 30-39	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Aird Community Trust (1311972) Andrew Ashcroft (1310631) Andrew Jones (1324077) Antonia Wright (1311246) Ballifeary Community Council (1312380) Bòrd na Gàidhlig (1323448) Broadland Properties per John Wright (1312043) Donald Begg (1312031) Dorothy Getliffe (1270774) Fred Olson per JLL (1311832) HIE per Turnberry (1312470) Highland Housing Hub (1154846) Homes for Scotland (966619) Iain Nelson (1323043) Jane Shadforth (1323040) Joan Noble (931076) Katie Walter (1323046) Kirkwood Homes per EMAC Planning (1270584) Lynne West (1311763) Macdonald Hotels per Pegasus group (1312504) MacLennans per GHJ (1312467) Mark Gunn (1312546) Meadhbh Maguire (1312382) Nairn River Community Council (1312260) Nairn West & Suburban Community Council (1323971) NatureScot (1266529) Network Rail (1312503) Port of Inverness per G&S (1220786) Rachael Probee (1310748) Scottish Government (963027) SSEN (1311702) Steve North (1263190) Woodland Trust (1312249)</p>		
Provision of the development plan to which the issue relates:	Settlement Hierarchy (Table 2), Rural Housing Hinterland Area (Map 2), Spatial Strategy Map (Map 1)	
Planning authority's summary of the representation(s):		
Settlement Hierarchy (Table 2) Aird Community Trust (1311972)		

Supports hierarchy but disputes reference to tier 4 settlements as being car based. The Plan should remedy this problem by improving active travel and public transport connectivity to, from and within these settlements.

Andrew Ashcroft (1310631)

Objects to Cromarty being classified as a tier 4 settlement because it has changed significantly over the past 20 years and is now a strong and vibrant community with a growing potential for tourism which needs connectivity and jobs and housing to support this growth potential.

Antonia Wright (1311246)

Supports (no reasons stated).

Broadland Properties per John Wright (1312043)

Disagrees that a settlement's position in the hierarchy should dictate the Council's response to a development proposal within that settlement. Believes the Plan should remedy the sustainability disadvantages of the lower tier settlements. Concentrating growth within higher tier settlements will worsen the ability of lower tier settlements to attract investment in services, facilities and employment.

Highland Housing Hub (1154846)

Seeks an additional growing settlement added to the hierarchy at Pitcalnie, Nigg because: it was identified as such in the previous adopted local development plan; serviced land in public ownership exists close to Cameron Court; and, the land is close to the village hall.

Homes for Scotland (966619)

Disputes that the Plan's spatial strategy will deliver a sufficient housing land supply and house completions (see fuller comments under Issue 3: Housing Requirements).

Iain Nelson (1323043)

Supports but wants a balance of land uses and the infrastructure facility and social network capacity to support that level and type of growth.

Jane Shadforth (1323040)

Supports principle but capacity in all infrastructure networks should affect level of growth not just sustainable travel connectivity.

Katie Walter (1323046)

Agrees but wants a more definite edge to Growing Settlements because open countryside can become infill development.

Meadhbh Maquire (1312382)

Supports hierarchy based on relative sustainability of each settlement.

NatureScot (1266529)

Wants aim of tackling the twin crises of climate change and biodiversity loss threaded through the Plan so requests reference that the hierarchy is based upon this principle.

Network Rail (1312503)

Supports higher tier for Tornagain given its investment in new rail station and active travel links there but less supportive of Evanton given there is no current scheme for a new rail halt there.

Rachael Probee (1310748)

Alness and Muir or Ord shouldn't be in the higher tiers because they aren't growing. Most communities have infrastructure capacity issues (especially schools) which should be resolved first before any growth.

Steve North (1263190)

Supports Plan approach as helping both sustainability and viability.

Woodland Trust (1312249)

Seeks confirmation that nature has been taken into account in developing the hierarchy. Building on land that reduces biodiversity harms sustainability. The hierarchy should be based upon the environmental sensitivity/capacity of each settlement/location.

Rural Housing Hinterland Area (Map 2)

Antonia Wright (1311246)

Objects (no reasons stated).

Ballifeary Community Council (1312380)

Seeks a more permissive Plan approach to building in the open countryside because some people can now work from home and be self-sufficient in other ways.

Broadland Properties per John Wright (1312043)

Objects to table because it will be given policy significance and restrict development. There are good reasons to support development in accessible countryside close to the main settlements such as small scale proposals that will help meet the shortfall in the five-year housing land supply.

HIE per Turnberry (1312470)

Seeks a more permissive policy to support housing (particularly affordable housing) in the open countryside because a lack of good quality and affordable housing choice can frustrate the growth of local businesses as they struggle to attract new staff to move into the area.

Homes for Scotland (966619)

Objects to table because it will be given policy significance and restrict development. There are good reasons to support development in accessible countryside close to the main settlements such as small scale proposals that will help meet the shortfall in the five-year housing land supply.

Iain Nelson (1323043)

Supports but wants exceptions and funding to promote the refurbishment of empty croft houses. There should be an emphasis on brownfield not greenfield development.

Jane Shadforth (1323040)

Supports but wants exceptions to bring abandoned crofts/farms back into use to better manage the area for food and wildlife through sustainable regenerative farming and/or sustainable accommodation should be made available to support rural jobs including rewilding projects.

Kirkwood Homes per EMAC Planning (1270584)

Objects to table because it will be given policy significance and restrict development.

There are good reasons to support development in accessible countryside close to the main settlements such as small scale proposals that will help meet the shortfall in the five-year housing land supply.

Lynne West (1311763)

Supports (no reasons stated).

Macdonald Hotels per Pegasus group (1312504)

Objects to Hinterland boundary as enclosing site at Drumossie, Inverness because: no evidence to justify change from adopted plan position; the hinterland policy is restrictive and therefore inappropriate to a part developed area of the City; the site is not quality agricultural land; the Site is in use as a hotel and provides development and investment opportunities as established by the planning history; the land at allocation IN90 similarly has development and investment opportunities as established by the planning history; the landscape in this area is such that it is clearly able to accommodate suitable development, as established by the planning history for the site as well as the allocation of land to the south east of the Site at allocation IN90; the proposed development at the rear of the site will be appropriately screened by dense woodland around the edges of the site; the site can be serviced; there has been no SEA of the removal of this previously supported development area; the site will deliver much needed retirement residential accommodation; the site is accessible and non-car modes of travel connections can be improved; and, the current proposal wouldn't necessarily set a precedent for mainstream housing development in this location.

MacLennans per GHJ (1312467)

Objects to non-inclusion of a land allocation at Newlands of Culloden for 20 self build plots, 5 affordable houses, greenspace, a social enterprise, holiday accommodation, a community shop, and food growing. Asserts that this mixed use proposal would add community facilities to a very large existing housing group and make it more of a balanced sustainable community. Reaffirms full case made at Main Issues Report stage [*] which includes an indicative layout plan.

Mark Gunn (1312546)

Asserts that Hinterland area should be far smaller (drawn in to 5 miles from Inverness) and there should be far more exception reasons (e.g. self build) to allow development because people want to live in the countryside for the peace and quiet and not to have to buy a volume housebuilder house.

Meadhbh Maguire (1312382)

Supports policy but remarks that full screen map difficult to access.

Rachael Probee (1310748)

Wants a far more restrictive policy within the Hinterland area because of the adverse impact reasons stated, the lack of support for development in this area, and the lack of infrastructure capacity.

Steve North (1263190)

Supports boundary and policy but seeks better application of the hinterland policy in practice. Asserts that there have been a number of recent small scale industrial developments in the hinterland around Beauly for which the justification of essential need is very questionable.

Woodland Trust (1312249)

Supports area and policy but seeks Plan recognition of the adverse impact of countryside development on nature not just climate and increased emissions. The impacts on nature can include breaking up ecological connectivity and fragmenting habitats particularly (ancient) woodlands.

Spatial Strategy Map (Map 1)

Andrew Ashcroft (1310631)

Welcomes that Cromarty and Nigg recognised for sustainable tourism potential but wants this better defined and supported. Also wants wider support for tourism particularly its association with the NC500. The Black Isle to the Cromarty-Nigg ferry connection could be a spur of the NC500 route.

Andrew Jones (1324077)

Reports own application to Crown Estate Scotland for funding to repair the former Navy Pier at Nigg for a tourism venture and therefore pleased to see that the Cromarty / Nigg area is suggested as a Sustainable Tourism Potential Growth area. Happy that industrial allocations don't enclose Nigg Pier, Ferry Slipway and the beach.

Antonia Wright (1311246)

Objects (no reasons stated).

Bòrd na Gàidhlig (1323448)

Seeks Plan recognition that Gaelic is very much an asset for tourism in Inner Moray Firth because: it is authentic, a key part of the area's history and culture; the language can attract visitors who are interested in learning more about Gaelic; a VisitScotland survey found more than one in three visitors to Scotland felt that Gaelic enhanced their visit, and they would like to find out more about it.

Broadland Properties per John Wright (1312043)

Disagrees with prominence given to Highland's indicative Regional Spatial Strategy (RSS) because it is not adopted, was prepared without consultation and submitted to inform NPF4, which is still subject to ongoing review. There is limited weight attributed to NPF4, and the same limited weight should be attributed to the contents of the IRSS.

Donald Begg (1312031)

Agrees that building around existing road networks is vital for the strategy. Traffic in already built up areas, eg. Inshes, is already excessive so keeping housing near to trunk routes makes sense.

Dorothy Getliffe (1270774)

Agrees that strategy contains a good proportion of renewable energy sources and growth areas. Reports that respondent is a member of Knocknagael Project which MUST be supported by all concerned.

Fred Olson per JLL (1311832)

Seeks specific reference to Special Landscape Areas (SLAs). Understands that no strategic review of SLAs or their boundaries has been undertaken as part of the preparation of the Plan. Queries why the IMFLDP 2015 did consider those boundaries and designations. Believes that because the pIMFLDP is silent on SLA's, that the designation boundaries will revert back to those established through the HwLDP and the next

opportunity to re-consider those extents will be through the next iteration of the HwLDP.

Iain Nelson (1323043)

Supports but must balance improvements to infrastructure with realistic expectations for development of industry and tourism. Plan area shouldn't be a giant holiday park and/or an industrial site.

Jane Shadforth (1323040)

Supports energy and tourism development and active transport options but this must not be at the expense of the environment. Environmental organisations must be consulted regarding siting of energy and tourism developments and tourists need to be educated on appropriate behaviour to leave a positive impact on local people and wildlife.

Joan Noble (931076)

Seeks Plan commitment to sustainable tourism investment in Nairn. Believes investment in NC500 has led to adverse effects on local communities and therefore public investment should spread visitor pressure to other parts of Highland.

Katie Walter (1323046)

Seeks considerable care to be given to prevent creep into countryside areas and around what "sustainable tourism" really means.

Lynne West (1311763)

Seeks clarification of Map's meaning. Queries why Invermoriston and Dalchreichart are not mapped as they are significant settlements, with a right to have a view taken about sensible small scale housing development, transport and communications within them.

Nairn River Community Council (1312260)

Supports but believes major infrastructure constraints affect most if not all areas and this will be a very serious inhibitor to growth and development, particularly along the A96 corridor. Urges Council to adhere firmly to the Precautionary Principle because the Moray Firth is a world renowned site of environmental importance both on land and sea. Development must protect at all costs the environment, land, sea, beaches, wildlife, sea life, water and air quality etc. Supports tourism development especially the inclusion of Nairn as one of Highland's main visitor destinations. Suggests a detailed Visitor Management Strategy/Plan for Nairn supported by HIE and involving the local community in all aspects of its preparation and delivery. Car parking and motor home provision will form part of this strategy.

Nairn West & Suburban Community Council (1323971)

Seeks equal promotion of and investment in Nairn for tourism so is to be sustainable (prevent the over-tourism and climate negative travel patterns of the NC500).

NatureScot (1266529)

Welcomes the inclusion of the 'between settlement active travel network' because it can help to achieve the just transition to net zero if green/blue networks. Seeks recognition of the other ways of achieving net zero other than from just renewable energy. Queries overlaps between sustainable tourism potential growth areas and strategic renewable energy zones. Seeks clarity on how the Plan will tackle tensions within particular settlements and between using natural assets in a sustainable way to enhance the visitor experience, and using those same natural assets for economic growth through renewables.

Port of Inverness per G&S (1220786)

Reports that Port of Inverness is part of the Opportunity Cromarty Firth (OCF) consortium bid for Green Freeport status. Supports Plan's reference to OCF. Asserts that the Ports Harbour Gait proposal will support both the renewable sector and tourism. It will also provide enhanced integration between Inverness City Centre and waterfront through active travel links and delivery of the Maritime Heritage Trail.

Rachael Probee (1310748)

Believes Strategy will not work unless public transport is improved first. The car is the only effective alternative for many people and trips. Urges Council to change public transport to make it useful and improve the roads.

Scottish Government (963027)

Seeks clarification of the Council's position on the renewables sector including onshore wind so as to align with existing (SPP) and emerging national planning policy (draft NPF4) which seek the identification of those areas that are likely to be most appropriate for onshore wind farms as a guide for developers and communities and other renewable energy technologies.

SSEN (1311702)

Seeks greater Plan recognition of SSEN's critical national infrastructure and energy security role, contribution to achieving national net zero targets and mapping of because strategic reinforcements because: future improvements are now approved in funding terms: most of the network is classed as 'National Development' under the extant National Planning Framework 3 (NPF3) and the emerging NPF4; the network will help support the Plan's proposed "Strategic renewable energy zones"; network investment will create new jobs both directly and indirectly in the Inner Moray Firth region.

Steve North (1263190)

Supports the increased focus on development being encouraged within key serviced settlements with good transport links etc rather than the more dispersed development evident in previous plans, and the retention of a hinterland policy to help manage development sprawl. Both make sense in terms of sustainability, efficiency and safeguarding the landscape character of the area.

Modifications sought by those submitting representations:

Settlement Hierarchy (Table 2)

Aird Community Trust (1311972)

Addition of Plan provisions to improve active travel and public transport connectivity to, from and within all tier 4 settlements but in particular for Kirkhill and Inchmore (assumed).

Andrew Ashcroft (1310631)

Cromarty reclassified as a higher tier settlement and more support for growth within it (assumed).

Antonia Wright (1311246)

None (assumed).

Broadland Properties per John Wright (1312043)

Clarification that a settlement's position in the hierarchy will not dictate the Council's

response to a development proposal within that settlement (assumed).

Highland Housing Hub (1154846)

Addition of Pitcalnie (Nigg) as a growing settlement.

Homes for Scotland (966619)

A revised spatial strategy that will deliver a sufficient housing land supply and house completions (assumed) (see fuller comments under Issue 3: Housing Requirements).

Iain Nelson (1323043)

Addition of clarification that growth should be of balanced mix of land uses (not just housing) and subject to the infrastructure facility and social network capacity to support that level and type of growth (assumed).

Jane Shadforth (1323040)

Addition of clarification that capacity in all infrastructure networks should affect level of growth not just sustainable travel connectivity (assumed).

Katie Walter (1323046)

Definitive boundaries for the Plan's Growing Settlements (assumed).

Meadhbh Maguire (1312382)

None (assumed).

NatureScot (1266529)

Addition of statement within paragraph 38 about the need to address biodiversity loss as well as climate change and post pandemic economic recovery.

Network Rail (1312503)

Addition of clarification that rail network investment is being made at Tornagrain but there is no currently programmed scheme at Evanton (assumed).

Rachael Probee (1310748)

A hierarchy and future level of growth that is supported by adequate existing infrastructure/facility capacity (assumed).

Steve North (1263190)

None (assumed).

Woodland Trust (1312249)

A hierarchy based upon the environmental sensitivity/capacity of each settlement/location (assumed).

Rural Housing Hinterland Area (Map 2)

Antonia Wright (1311246)

Unclear.

Ballifeary Community Council (1312380)

A more permissive Plan approach to building in the open countryside.

Broadland Properties per John Wright (1312043)

A more permissive Plan approach to building in the open countryside.

HIE per Turnberry (1312470)

At end of paragraph 46, add new sentence: "Affordable housing linked to local needs, consistent with policy 10, is also a suitable exception and appropriate development in the open countryside and hinterland area."

Homes for Scotland (966619)

Exceptions for small scale housing delivery and housing delivery where this contributes to a demonstrable need such as where there is a shortfall in the five year housing land supply.

Iain Nelson (1323043)

Amendments to support exceptions and funding to promote the refurbishment of empty croft houses (assumed).

Jane Shadforth (1323040)

Exceptions to bring abandoned crofts/farms back into use where connected to better management of land for food and wildlife and/or the accommodation is available to support rural jobs including rewilding projects (assumed).

Kirkwood Homes per EMAC Planning (1270584)

Exceptions for small scale housing delivery and housing delivery where this contributes to a demonstrable need such as where there is a shortfall in the five year housing land supply.

Lynne West (1311763)

None (assumed).

Macdonald Hotels per Pegasus group (1312504)

Reinstatement of Inverness Settlement Development Area boundary as per adopted plan (assumed).

MacLennans per GHJ (1312467)

A mixed use allocation within the Hinterland at Newlands of Culloden for 20 self build plots, 5 affordable houses, greenspace, a social enterprise, holiday accommodation, a community shop, and food growing.

Mark Gunn (1312546)

Contraction of the Hinterland area only to enclose land within 5 miles of Inverness and even within this area a far more permissive policy to allow exceptions for development such as self build (assumed).

Meadhbh Maguire (1312382)

A clearer, more accessible map of the Hinterland area (assumed).

Rachael Probee (1310748)

A far more restrictive policy within the Hinterland area (assumed).

Steve North (1263190)

None but better application of the hinterland policy in practice.

Woodland Trust (1312249)

Plan recognition of the adverse impact of Hinterland housing development on nature not just climate and increased emissions.

Spatial Strategy Map (Map 1)

Andrew Ashcroft (1310631)

Addition of Plan content on sustainable tourism potential particularly support for tourism associated with the NC500 – e.g. the Black Isle to the Cromarty-Nigg ferry connection could be a spur of the NC500 route.

Andrew Jones (1324077)

None (assumed).

Antonia Wright (1311246)

Unclear.

Bòrd na Gàidhlig (1323448)

Addition of greater Plan recognition that Gaelic is very much an asset for tourism in the Inner Moray Firth.

Broadland Properties per John Wright (1312043)

Clarification that little decision making weight will be given to Highland's indicative Regional Spatial Strategy (RSS) (assumed).

Donald Begg (1312031)

None (assumed).

Dorothy Getliffe (1270774)

None on this issue. Seeks Plan support for Knocknagael Project.

Fred Olson per JLL (1311832)

Specific reference to Special Landscape Areas (SLAs) and an opportunity to review their boundaries and status (assumed).

Iain Nelson (1323043)

A better Plan balance between infrastructure provision, the environment and industrial/tourism developments.

Jane Shadforth (1323040)

Addition of clarification that energy and tourism development will only be supported if no adverse impact on environment (assumed).

Joan Noble (931076)

Plan commitment to sustainable tourism investment in Nairn.

Katie Walter (1323046)

A more restrictive approach to development in the countryside and ensuring genuinely sustainable tourism.

Lynne West (1311763)

Addition of Plan content for Invermoriston and Dalchreichart (as Growing Settlements) with a view taken about sensible small scale housing development, transport and communications within them.

Nairn River Community Council (1312260)

Addition of clarifications that: major infrastructure constraints will be a very serious inhibitor to growth and development, particularly along the A96 corridor; the Council will adhere firmly to the Precautionary Principle; and, that the Council will produce a detailed Visitor Management Strategy/Plan for Nairn supported by HIE and involving the local community in all aspects of its preparation and delivery (all assumed).

Nairn West & Suburban Community Council (1323971)

Addition of a Plan reference to ensure equal promotion of and investment in Nairn for tourism so is to be sustainable (prevent the over-tourism and climate negative travel patterns of the NC500) (assumed).

NatureScot (1266529)

Addition of reference to ways of achieving net zero other than from just renewable energy. Clarification of how conflicts between sustainable tourism potential growth areas and strategic renewable energy zones will be dealt with – e.g. Nigg (assumed).

Port of Inverness per G&S (1220786)

Enhanced reference to Port's Harbour Gait proposal as supporting both the renewable sector and tourism (assumed).

Rachael Probee (1310748)

Amendments to make new development conditional upon prior investment in public transport (assumed).

Scottish Government (963027)

Clarification as to whether the Plan and wider Council policies support opportunities for all forms of renewable energy and low-carbon technologies (assumed).

SSEN (1311702)

Additional Plan content to recognise SSEN's critical national infrastructure and energy security role, contribution to achieving national net zero targets and mapping of because strategic reinforcements.

Steve North (1263190)

None (assumed).

Summary of responses (including reasons) by planning authority:

Settlement Hierarchy (Table 2)

Aird Community Trust (1311972)

Support noted. Some existing settlements such as Kirkhill are too small and too distant from higher order facilities and employment opportunities to ever support a commercially viable public transport service or offer good active travel connectivity for the average person. It is also increasingly unviable for the public sector to subsidise a regular public transport service to these settlements. Active travel network investment, particularly for smaller linking sections in an existing lightly trafficked rural road-based network can be cost effective and the Plan supports such provision. These networks can be tourism assets as well as providing commuting and local journey opportunities. For the reasons stated above, the Table 2 hierarchy makes a difficult decision to concentrate a higher proportion of future growth within the higher tier centres because, other things being

equal, this will be more environmentally sustainable and economically viable for both the public and private sectors.

Andrew Ashcroft (1310631)

See response to Aird Community Trust above regarding the reasons why some settlements are in lower tiers and Issue 25: Cromarty. The Plan does provide positive development allocations within Cromarty and recognises that the short ferry link to Nigg could provide a cost-effective, sustainable travel mode, journey to work for many existing and new residents.

Antonia Wright (1311246)

Noted.

Broadland Properties per John Wright (1312043)

See response to Aird Community Trust above regarding the reasons why some settlements are in lower tiers. Most of the lower tier settlements have a primary, dormitory, commuter housing location function. If significant new employment were to be attracted to any of the lower tier settlements (as currently proposed but not endorsed by the Council, at Tore) then this would provide a more convincing case for public sector investment but currently this is not the case for any of these settlements.

Highland Housing Hub (1154846)

Pitcalnie (Nigg) is identified as an "Other Settlement" within Policy 3 of the aIMFLDP. The land is outwith the Council's Hinterland area in the Plan and therefore a positive approach to development in this part of the countryside already applies. A suitably designed and adequately serviced, small scale housing proposal that adds to the existing small community would be likely to be in conformity with the approved development plan. The respondent's proposal isn't specific and the Plan now seeks to concentrate on larger growing settlements. As such, the Council does not believe that it is necessary to add Pitcalnie to Tier 5 of the hierarchy.

Homes for Scotland (966619)

See the Council's responses under Issue 3: Housing Requirements.

Iain Nelson (1323043)

Support noted. The Plan attempts to allocate for a mix of land uses within most main settlements and identifies the mitigation necessary to support and offset the adverse impact of that growth.

Jane Shadforth (1323040)

Support noted. The hierarchy does take account of infrastructure and community facility network capacity. For example, Kirkhill is in a lower tier to Kiltarlity because of the former's poor primary school capacity even though both are of a similar size and have similar other constraints and opportunities.

Katie Walter (1323046)

Support noted. The Council's 3 area LDPs all contain a list of Growing Settlements all without a definitive boundary and all without specific development site allocations. Instead, development proposals within or closely adjoining these settlements are assessed against a list of settlement-specific criteria and criteria within a general policy (GP12: Growing Settlements in the Plan). One of the general policy criteria references active travel distance from the community or commercial facility present within the settlement and this

can be used as a proxy for a geographic boundary. Otherwise, a development management officer applies the criteria-based policy framework in assessing a proposal. Settlement pattern conformity is one of the criteria which allows the officer to take a view on whether the proposal would represent an inappropriate incursion into presently open countryside.

Meadhbh Maguire (1312382)

Support noted.

NatureScot (1266529)

The Plan's twin overarching aims are tackling post pandemic economic recovery and the climate and ecological emergency. These aims are threaded through the Plan's outcomes, vision, spatial strategy, general policies, placemaking priorities, development site allocations and developer requirements. Therefore, the settlement hierarchy isn't and shouldn't be based just upon environmental sustainability. A balance with economic viability considerations has to be struck if the Plan's provisions are to be deliverable.

Network Rail (1312503)

Support for Tornagrain noted. Tornagrain is a Tier 1 settlement because of its planned size as a town, its proposed self-containment in terms of local education and employment provision as well as the presence of the under construction rail station and the sustainable travel mode connectivity it will offer. Evanton is a Tier 2 settlement because of its spare capacity in its infrastructure and facility networks, its size and its proximity to significant existing and proposed employment opportunities at Highland Deephaven. The possibility of a rail halt would enhance Evanton's Tier 2 status but the halt would be justified more in terms of more sustainable freight movements in and out of Highland Deephaven.

Rachael Probee (1310748)

See Issue 13: GP9 Delivering Development and Infrastructure for the Council's response to respondents suggesting a development embargo until all infrastructure and facility networks are improved. Both Alness and Muir or Ord don't rival Inverness in terms of recent house completions but both are towns, benefit from a good range of community, commercial and employment facilities, have a regular rail connection service, and have some spare capacity in their infrastructure networks.

Steve North (1263190)

Support noted.

Woodland Trust (1312249)

The environmental capacity (evidenced through the Plan's SEA process) of each settlement has been one factor in determining the hierarchy and site selection within each settlement. For example, Cawdor has been reclassified as a lower Tier 5 growing settlement partly because of its heritage constraints. However, environmental sensitivity / capacity is only one factor and has been balanced against other considerations notably economic viability.

Rural Housing Hinterland Area (Map 2)

Antonia Wright (1311246)

Noted.

Ballifeary Community Council (1312380)

It is unusual for an urban community council to express an opinion on matters in the open

countryside and the Council disagrees that a more permissive Plan approach to building in the open countryside would be appropriate. Paragraph 33 of the PDF version of the Plan lists the reasons why. Not all services can be accessed remotely and therefore there will still be a need to travel for the occupants of houses in the open countryside. A genuine land management reason to live in the open countryside is supported as a permissible exception to the existing restrictive policy.

Broadland Properties per John Wright (1312043)

The Council disagrees that a more permissive Plan approach to building in the open countryside close to main settlements would be appropriate. Paragraph 33 of the PDF version of the Plan lists the reasons why. See Issue 3: Housing Requirements where the Council disputes that there is a shortfall in the five-year housing land supply.

HIE per Turnberry (1312470)

See response to Broadland Properties above. Affordable housing is supported as a permissible exception to the existing restrictive policy if there is an insufficient supply of land for such provision within the nearby settlement(s). The policy also supports on-site new housing if it is required to support an existing or new rural business.

Homes for Scotland (966619)

The Council disagrees that a more permissive Plan approach to building in the open countryside close to main settlements would be appropriate. Paragraph 33 of the PDF version of the Plan lists the reasons why. See Issue 3: Housing Requirements where the Council disputes that there is a shortfall in the five-year housing land supply.

Iain Nelson (1323043)

Support noted. The relevant HwLDP Policy 35 includes exceptions for conversions, refurbishment and in some cases redevelopment of empty croft houses and other traditionally designed rural buildings. See Issue 3: Housing Requirements for the Council's response regarding brownfield not greenfield development.

Jane Shadforth (1323040)

Support noted. See response to Iain Nelson above. The land management practice decisions referred to are outwith the Plan's control and indeed all planning control.

Kirkwood Homes per EMAC Planning (1270584)

The Council disagrees that a more permissive Plan approach to building in the open countryside close to main settlements would be appropriate. Paragraph 33 of the PDF version of the Plan lists the reasons why. See Issue 3: Housing Requirements where the Council disputes that there is a shortfall in the five-year housing land supply.

Lynne West (1311763)

Noted.

Macdonald Hotels per Pegasus group (1312504)

See Issue 37: East Inverness for the Council's response to the site's suitability as a City development allocation. This part of the City fringe is characterised by small farm based housing groups other sporadic rural development and the Drumossie Hotel which was sited at this location because it was on the old A9, close to Inverness, with an elevated, attractive outlook and a rural ambiance. The aIMFLDP enclosed the land either side of the A9 within the Inverness Settlement Development Area (SDA) so that important woodland belts could be identified and safeguarded and that limited development opportunities could

be supported where existing housing and other building groups exist and can be extended. The Drumossie Hotel wasn't developed to be in the City. It was constructed as a traditional roadside motor touring hotel in the 1930s. The adjoining aMFLDP IN90 allocation recognises the tourism or business potential of this land which is one of very few in Highland that is close to a high capacity grade separated trunk road junction and at the visual gateway to the Inner Moray Firth. The Council accepts that the site is part developed, has existing use permissions and is not of prime agricultural quality. The Plan's decision to draw in the SDA either side of the A9 on this approach to Inverness was based on recent pressure for larger housing developments and the poor environmental sustainability of the location in particular its poor active travel and public transport connectivity. It is up a steep hill, not close to community facilities and next to a busy, noisy trunk road so isn't a good housing development site. The Hinterland policy supports the expansion of existing rural businesses including ancillary housing accommodation. For example, hotel worker accommodation would be acceptable in principle on this site. The nature of the respondent's proposal is unclear but mainstream market housing would be unacceptable at this location because of its environmental sustainability challenges. The presence of the listed building adds another development constraint. Retirement accommodation without a functional connection to the existing hotel would create the same environmental sustainability challenges as mainstream housing. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

MacLennans per GHJ (1312467)

Culloden Moor or Newlands of Culloden is a very large grouping of mainly suburban design and layout houses without any community facilities lying mainly to the north of the B9006 between Inverness and Croy. There was a rail halt at this location but this has long since closed and local employment opportunities are very limited. It is not an environmentally sustainable or economically viable (in terms of public sector infrastructure provision) location at which to support further growth other than minor infill or rounding-off proposals. The mixed use nature of the proposal is interesting but there is no guarantee that the promised business and community facility components will be delivered early or at all. There is no quantitative deficiency in terms of the Plan's housing land supply for the Inverness Housing Market Area (HMA).

Mark Gunn (1312546)

The Council disagrees that a more permissive Plan approach to building in the open countryside close to main settlements would be appropriate. Paragraph 33 of the PDF version of the Plan lists the reasons why. Plan Policy GP11 encourages the provision of urban self and custom build housing. There are already a series of exceptions to the generally restrictive housing policy within the Hinterland countryside.

Meadhbh Maguire (1312382)

Support noted. A zoomable map of the Hinterland boundary is available on another part of the Council's website. If the Reporter is so minded then a link to this map could be provided within the PDF and online versions of the Plan.

Rachael Probee (1310748)

The Council's current policy restricts development in the open countryside to favour those with good reason to be there; i.e., those with a land management or other rural business reason. It would be unreasonable to impose further restrictions to exclude these parties. In any event the HwLDP general policy is not under review through this Plan process only the boundary to which the policy relates. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Steve North (1263190)

Support noted. Consistent application and enforcement of the provisions of any policy is important but circumstances can be very varied with small scale rural developments and local politics can also play a part. The lack of suitably sized and located industrial land within the nearest main settlement can also tilt the balance in favour of rural sites. Some industrial or “bad neighbour” uses such as kennels and catteries are more suited to a rural location without immediate neighbours.

Woodland Trust (1312249)

Support noted. The HwLDP Hinterland general policy is not under review through this Plan process only the boundary to which the policy relates. The “parent” policy references environmental and landscape issues. Accordingly, the Council believes the Plan’s content should remain unaltered in respect of this issue.

Spatial Strategy Map (Map 1)

Andrew Ashcroft (1310631)

Support noted. The sustainable tourism potential area centred on the North and South Sutors identified on Map 1 is intended to reflect various current and possible future tourism related development sites and their linking up by a (more) sustainable travel mode connection (the Cromarty-Nigg Ferry). The potential developments include the community’s campervan facility site at Cromarty, a golf course at Nigg and the better interpretation of WWII defence installations at the North Sutor. The Plan has no locus to change or add to the NC500 route which is a branding and marketing initiative.

Andrew Jones (1324077)

Noted. See Issue 51: Economic Development Areas for the Council’s response to the specifics of the Nigg site. Although the Strategic Renewable Energy Zone and Sustainable Tourism Potential Growth Area notations overlap on Map 1 at Nigg, the Council believes that any conflicts can be managed. For example, there are golf courses that happily coexist in close proximity to oil refineries and working ports. Similarly, potential marine access conflicts can be managed.

Antonia Wright (1311246)

Noted.

Bòrd na Gàidhlig (1323448)

The importance of Gaelic culture and heritage to the distinctiveness and authenticity of Highland tourism experience is recognised but it does not have a site or settlement specific land use implication. It is best promoted through bilingual signage, interpretative facilities and most often events such as the Mod. Accordingly, the Council believes the Plan’s content should remain unaltered in respect of this representation.

Broadland Properties per John Wright (1312043)

The Highland Council’s indicative Regional Spatial Strategy (RSS) [*] was prepared using input from a wide range of stakeholders but is recognised as a point in time document which will need to be reassessed in light of the final adopted version of NPF4. To an extent it was a bidding document intended to ensure NPF4 recognised the particular needs and aspirations of the Highland area. The Council accepts that it does not and will not form part of the statutory approved development plan for the inner Moray Firth area. If the Reporter is so minded then the Plan’s cross reference to the RSS in paragraph 24 of

the PDF version of the Plan could be amended to clarify this intended status of the RSS.

Donald Begg (1312031)

Noted. Adequate road space capacity is vital to most forms of local travel whether its active, bus priority, in electric vehicles or by fossil fuel cars. The spatial strategy doesn't direct development to sites near the trunk road network but adequate road network capacity for all users is one of many factors determining the strategy, the settlement hierarchy and site selection within settlements. Some large scale industrial allocations require good strategic road network connectivity and some tourism and commercial uses gain a competitive economic advantage in being visible from and accessible to that same network. The Plan takes account of these requirements in its site selections.

Dorothy Getliffe (1270774)

Support noted. See Issue 35: South Inverness for the Council's response to the Knocknagael project.

Fred Olson per JLL (1311832)

Special Landscape Areas (SLAs) in Highland were first formulated 20 years ago and first tested through the HwLDP process. Their original identification was based on 1:250,000 scale constraints mapping and therefore, since, their boundaries have been fine tuned through subsequent area LDP and citation [*] processes which have allowed a finer grained analysis. The Council intends this review to be a one off and therefore isn't consulting on any further changes to the Plan area SLAs. The SLAs are stand-alone, council defined areas the detail of which is available via the Council's website and don't rely upon being within an area LDP document for their status. Their policy "hook" is in the HwLDP notably Policies 57 and 61 and Appendix 2. Therefore, they will not change on the adoption of the Plan. The replacement of the HwLDP will commence in 2023 but local landscape designations, because they have already subject to detailed review, won't be an obvious candidate for debate. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this representation.

Iain Nelson (1323043)

Noted. The tourism and the renewable energy sectors do represent the Plan area's best prospects for post pandemic economic recovery and therefore the Council makes no apology for giving them prominence in the spatial strategy. However, the Plan also directs development in these sectors to the locations where any adverse effects can best be mitigated and supporting infrastructure provided at least cost.

Jane Shadforth (1323040)

Support noted. NatureScot are a key consultee at both pre-application and application stage for larger scale energy and tourism developments. Visitor behaviour and management is outwith the Plan's remit but the Council uses its ranger service to encourage responsible behaviour. The Plan allocates three sites for campervan stop-overs to better manage the waste management and inappropriate parking implications of this form of tourism.

Joan Noble (931076)

The NC500 promoters have via their website diversified the information about off route attractions and facilities. HwLDP Policy 42, already, in its 3rd criterion encourages a better geographic spread of tourist facilities. The geographic ringfencing and use of any future visitor levy is outwith the Plan's remit. However, developer contributions should certainly be ringfenced as locally as practicable and be used to offset the impact of development

not to divert a development to a different location.

Katie Walter (1323046)

Noted. The Council asserts that paragraph 37 of the PDF version of the Plan gives an adequate definition of sustainable tourism. Many smaller scale tourism facilities are appropriate within countryside areas and many of the Plan area's attractions are located within the countryside rather than within settlements.

Lynne West (1311763)

The Plan's settlement hierarchy is different to that within the aIMFLDP in which Invermoriston is identified as an "other" now termed "growing" settlement. Dalchreichart was identified as a settlement in the previous Inverness Local Plan 2006 but lost its primary school, is very remote from supporting services and facilities, and has a high proportion of second and holiday homes. Therefore, between the 2006 and 2015 plans, Dalchreichart was dropped as a settlement to which the Council wished to direct growth. Similarly, Invermoriston has been dropped between the 2015 and 2022 plans because it is severe physical development constraints. It is in a narrow steep sided glen the majority of the floor of which is subject to fluvial flood risk and heritage constraints. The steep glen sides also mean that winter daylight is very limited. It does have an active local community and may be a suitable location for a Local Place Plan which could better address very small scale, very local issues. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this representation.

Nairn River Community Council (1312260)

Support noted. See Issue 13: GP9 Delivering Development and Infrastructure for the Council's response to respondents suggesting a development embargo until all infrastructure and facility networks are improved. The Precautionary Principle is not a justification for a development embargo but instead a pause for thought and a possible reason to reject a development proposal if there considerable scientific uncertainty about future adverse environmental effects. The Council has produced a Visitor Management Plan for Highland [*]. The other matters requested are outwith the Plan's remit. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this representation.

Nairn West & Suburban Community Council (1323971)

See response to Joan Noble above.

NatureScot (1266529)

Support noted. Heating, energy and surface transport are the key issues where the Plan can make a difference in reducing carbon use and emissions. General policies 1, 2, 4, 5, 6 and 14 should all assist. Also, making settlement hierarchy and site selection decisions to minimise the need to travel by less sustainable means, to enjoy less climatic exposure and more solar gain, and to maximise the opportunity for district heating, should all help address this issue. Although the Strategic Renewable Energy Zone and Sustainable Tourism Potential Growth Area notations overlap on Map 1, for example at Nigg, the Council believes that any conflicts can be managed. For example, there are golf courses that happily coexist in close proximity to oil refineries and working ports. Similarly, potential marine access conflicts can be managed. For most planning applications there is a balancing act between the assessment and weighting of economic versus environmental considerations. The Plan shouldn't prejudge this assessment and weighting because it will vary from case to case. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this representation.

Port of Inverness per G&S (1220786)

Support noted. See Issue 11: GP7 Industrial Land and Issue 51: Economic Development Areas regarding the Council's support for Opportunity Cromarty Firth and Issue 36: Central Inverness regarding its response to the particular Harbour Gait proposal.

Rachael Probee (1310748)

See Issue 13: GP9 Delivering Development and Infrastructure for the Council's response to respondents suggesting a development embargo until all infrastructure and facility networks are improved. The Plan area has a relatively low, geographically dispersed population of actual or potential public transport users. Accordingly, the cost of improving public transport service spread, frequency and reliability to achieve significant modal shift to that mode will be prohibitive and therefore impracticable. In reality, the Plan and its transport strategy proposes a multi-modal solution in line with the Plan's Figure 17 transport hierarchy.

Scottish Government (963027)

The Council's policies on onshore wind energy and other renewables are set at Highland wide level through the HwLDP and its related guidance [*]. The 3 adopted area LDPs don't contain any locational guidance for renewable energy developments. The HwLDP and its related Supplementary Guidance does contain that guidance through its Spatial Framework, landscape sensitivity appraisals and strategic capacity conclusions. The Council asserts that this locational guidance is sufficient and complies with current SPP requirements on this matter. NPF4's final requirements in terms of LDP locational guidance are as yet unknown.

SSEN (1311702)

Although welcome and significant, singling out SSE's particular role in tackling the climate emergency, supporting the economy and national energy security would be inappropriate in a statutory council policy document. However, the Council agrees, if the Reporter is so minded to recommend, that planned and funded strategic reinforcements to the national transmission network should be added to Map 1.

Steve North (1263190)

Support noted.

Reporter's conclusions:

Reporter's recommendations:

Issue 3	Housing Requirements	
Development plan reference:	Section 2, PDF Pages 33-36	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Antonia Wright (1311246) Broadland Properties per John Wright (1312043) Forbes per Grant and Geoghegan (G&G) (1271817) HIE per Turnberry (1312470) Highland Housing Hub (1154846) Homes for Scotland (966619) Iain Nelson (1323043) Jane Shadforth (1323040) Kirkwood Homes per EMAC Planning (1270584) Muir of Ord Community Council (1323337) Nairn River Community Council (1312260) Nairn West & Suburban Community Council (1323971) Pat Munro (Alness) per Daniel Harrington (1312301) Rachael Probee (1310748) Robertson Homes per BWP (1266646) Scottish Government (963027) Springfield Homes (1147956)</p>		
Provision of the development plan to which the issue relates:	Housing Requirements, Table 3	
Planning authority's summary of the representation(s):		
<p><u>Antonia Wright (1311246)</u> Objects (no reasons stated)</p> <p><u>Broadland Properties per John Wright (1312043)</u> Supports Homes for Scotland submissions on this issue. Believes Mid Ross HMA requirement is inadequate/ too low. Asserts that of the 34 allocated sites in the Audit for the Mid Ross HMA some 26 were 1st allocated in, or carried forward to, the Ross & Cromarty East Local Plan 2007, the remaining 8 sites were 1st allocated in 2015. Believes the programming of these sites in the Housing Land Audit (HLA) being continually pushed out over time results in housing need and demand remaining unmet with associated negative consequences of this in terms of prices and availability. Bemoans lack of consultation with landowners on HLA. Believes many landowners have a poor track record of land release and therefore many sites are not truly effective. Complains that the published HLA is out of date compared to the Plan and therefore no meaningful assessment of effective supply can be made. Estimates that the capacity of the emerging Mid Ross supply as 865 homes leaving a shortfall of at least 491 homes (against the current MHLR) and therefore the Plan is not compliant with SPP and therefore open to legal challenge and will erode confidence in the primacy of the development plan</p>		

in our plan led system. Offers Broadland owned sites at Avoch, Munloch and North Kesssock to make up the shortfall. Reports these are effective and deliverable.

Forbes per G&G (1271817)

Objects to proposed Housing Land Requirement (HLR) as too low because: the adopted LDP planned for a far greater total (40% more); there should be more flexibility than just allowing for a total based on past completion rates; programming of existing sites over the period of the next Plan appears to be unrealistic in many cases; the windfall assumption is too high at 30% because opportunities within and adjacent to settlements have been dramatically reduced as settlement boundaries have been drawn in and brownfield sites are limited; and, the 10% adjustment for employment related housing growth should be applied to the entire Inner Moray Firth area and increased to reflect the potential for investment in the area i.e. the Cromarty Firth Free Port, Ardersier Port, Nigg, A9/ A96 dualling, Inverness Airport Masterplan including commercial land and railway improvements as well as the Inverness and Highland City-Region Deal. Seeks clarification why Council is planning for decline. Adequate housing land is vital to help drive sustainable economic growth across the region.

HIE per Turnberry (1312470)

Seeks higher housing requirements because: the Plan recognises the uncertainty as to whether past trends will continue; net migration may increase again; and, employment led growth may increase. The Plan should be flexible because of this uncertainty. There should be a Plan trigger to allow higher capacities, faster phasing and more rural development if there is likely to be a shortfall.

Highland Housing Hub (1154846)

The Plan should be flexible enough to accommodate unmet demand arriving from known economic drivers and those likely to emerge in the next few years especially if the Opportunity Cromarty Firth (OCF) green freeport bid is successful which could create 25,000 new jobs over the next 5 years. Suggests the review of sites should be delayed until the outcome of the OCF bid is known or a statement added that land allocations either withdrawn or reduced compared to the adopted LDP will be reinstated.

Homes for Scotland (966619)

Seeks higher requirements because: the Plan figure is a major downward revision compared with the adopted LDP; the open market portion of this is 2,389, equivalent to 239 homes per annum which is not in line with past private completion rates (estimated at 538, more than double the open market element of the HLR); the Plan requirements calculation methodology is unclear; a successful Opportunity Cromarty Firth (OCF) bid will increase jobs led housing growth beyond East and Mid Ross; other major investments such as the City-Region Deal, trunk road dualling and other public transport schemes will create jobs and therefore housing demand; SPP makes clear that the HNDA is only a starting point for calculating housing requirements and that Council's should take account of "wider economic, social and environmental factors, issues of capacity, resource and deliverability, and other important requirements such as the aims of National Parks"; other councils make significant policy adjustments e.g. North Ayrshire have tripled its requirements relative to its HNDA; assumptions about future in-migration are very uncertain; the pandemic has increased demand for home working in an attractive rural area; NPF4 is only in draft and is subject to many objections; the figures in NPF4 are only minima not a guide to any actual figures; other circumstances may change and the Plan should be flexible; a housing shortfall will increase prices and rents and therefore worsen affordability and harm economic growth potential; the Highlands and Islands Enterprise

Strategy (2019-22) identifies housing supply and affordability as key issues; and, the homebuilding sector provides local employment. Detailed, revised requirements paper supplied [*]

Iain Nelson (1323043)

Seeks more development on brownfield not greenfield sites for the benefit of residents not developers because: green corridors and spaces are vital for the environment, wildlife and people and the main reasons people actually want to live in and visit the region; and, central sites can also be better linked to existing facilities rather than be soulless, suburban housing estates.

Jane Shadforth (1323040)

Queries why so many houses are needed if the population is currently stable. Supports more housing if it comes with employment, sustainable travel, entertainment and other infrastructure.

Kirkwood Homes per EMAC Planning (1270584)

Seeks higher requirements because: the Plan figure is a major downward revision compared with the adopted LDP; the open market portion of this is 2,389, equivalent to 239 homes per annum which is not in line with past private completion rates (estimated at 538, more than double the open market element of the HLR); the Plan requirements calculation methodology is unclear; a successful Opportunity Cromarty Firth (OCF) bid will increase jobs led housing growth beyond East and Mid Ross; other major investments such as the City-Region Deal, trunk road dualling and other public transport schemes will create jobs and therefore housing demand; SPP makes clear that the HNDA is only a starting point for calculating housing requirements and that Council's should take account of "wider economic, social and environmental factors, issues of capacity, resource and deliverability, and other important requirements such as the aims of National Parks"; other councils make significant policy adjustments e.g. North Ayrshire have tripled its requirements relative to its HNDA; assumptions about future in-migration are very uncertain; the pandemic has increased demand for home and hybrid working in an attractive rural area; NPF4 is only in draft and is subject to many objections; the figures in NPF4 are only minima not a guide to any actual figures; other circumstances may change and the Plan should be flexible; a housing shortfall will increase prices and rents and therefore worsen affordability and harm economic growth potential; the Highlands and Islands Enterprise Strategy (2019-22) identifies housing supply and affordability as key issues; and, the homebuilding sector provides local employment. Detailed, revised requirements paper supplied [*]. Agrees with Council's inclusion of in-year arising need. Points out that household forecasts are trend based and therefore are not flexible to changing circumstances. Given that the Plan area totals are relatively small then incorrect assumptions lead to more significant errors – e.g. in net migration assumptions. Concerned that HNDA and HLA prepared at a late stage in the Plan process. Queries why household surveys were not used to inform the existing unmet need count. More housing within the Hinterland can help with rural repopulation.

Muir of Ord Community Council (1323337)

Queries why Table 3 sets the affordable portion of the future housing requirement at 72% but that General Policy 10 only seeks 25% of future housing component sites as affordable.

Nairn River Community Council (1312260)

Objects to housing requirements as too high because: the birth rate is falling; net

(in)migration is low; Highland's population is forecast to remain static; household sizes are declining; permissions granted exceed indicative plan capacities by at least 20%; developers lead Council policy; loss of greenfield sites; inadequate infrastructure capacity; and, the real requirement is for one bedroom accommodation for indigenous need.

Nairn West & Suburban Community Council (1323971)

Queries accuracy of HNDA 2020 because: the HNDA uses the high migration population projection when we are on a very low trajectory; there appear to be areas of double counting of waiting lists; flexibility of 30% extra has been added for reasons that are unclear; affordable needs can be met by repurposing older buildings which would be a much more environmentally suitable option in the current climate; by 2030 Highland household numbers are projected to be static.

Pat Munro (Alness) per Daniel Harrington (1312301)

Disputes MHLR as not taking proper account of the wider economic, social and environmental factors and therefore won't meet for affordable housing and market demand which will further place pressure on affordability. Believes respondent's sites in Alness and Inverness can help make up shortfall. Supplies detail of sites (covered under Alness and East Inverness Issues).

Rachael Probee (1310748)

Disputes whether new housing is genuinely affordable. A working couple on average earnings can only afford to pay £235,200. Private new build houses start at £282,000 for a 3 bedroom house. Shared ownership/equity schemes don't work and trap occupants. Help to Buy takes too long to save up for a deposit.

Robertson Homes per BWP (1266646)

Objects to the requirements as too low because: the Council should take a more ambitious approach; the market target should at least match past private completions; major public infrastructure (road, rail and other City Region Deal projects) investment will prime employment led growth and therefore housing need and demand; existing residents need better homes; and, the pandemic has increased buyer interest in home working and well designed homes and gardens in locations where health, lifestyle and well-being factors score highly; the requirements are almost halving the total in the adopted LDP. Believes Plan should require a minimum of 17,250 homes based on 1,500 homes per annum and a generosity allowance of 15%.

Scottish Government (963027)

Seeks a clear explanation of what the MHLR is. Queries whether it represents the level of identified need or is an assessment of the deliverable land required to meet this need. Also seeks explanation the relationship to the Strategic Housing Investment Plan and emerging Local Housing Strategy as to how investment in affordable housing will be directed within the Inner Moray Firth plan area. Believes the Plan should provide a spatial indication of the land it intends to allocate in order to meet the remainder of its 6,075 affordable housing MHLR.

Springfield Homes (1147956)

Supports Homes for Scotland objection to Plan. Major public infrastructure (road, rail and other City Region Deal projects) investment will prime employment led growth and therefore housing need and demand. This will be magnified by private investment in Opportunity Cromarty Firth (OCF) and at the Airport Business Park. Therefore believes 10% inflation for future economic growth is inadequate. Also believes 30% windfall

allowance is too high. SPP defines these as sites that “become available for development unexpectedly during the life of the development plan and so are not identified individually in the Plan”. Balloch Farm is now an allocated site and yet was counted as windfall. Most infill will be small brownfield infill sites and there is little brownfield land in Highland. Also the proposed contracting of settlement boundaries in the Plan, particularly around Inverness (where most windfall opportunities prevail) will further reduce the potential for windfall development.

Modifications sought by those submitting representations:

Antonia Wright (1311246)

Unclear.

Broadland Properties per John Wright (1312043)

Amendments to Table 3 to increase the requirement for the Mid Ross HMA and allocation of new/expanded development sites at Avoch, Munloch and North Kessock.

Forbes per G&G (1271817)

A much higher housing land requirement (assumed).

HIE per Turnberry (1312470)

The proposed flexibility allowance (30% for rural authorities) should be increased throughout the whole of the Plan area by a factor of 10%, not just in Mid and East Ross.

Highland Housing Hub (1154846)

Addition of a statement that land allocations either withdrawn or reduced compared to the adopted LDP will be reinstated if major employment led growth is likely to occur (such as a successful OCF bid).

Homes for Scotland (966619)

A higher requirement closer to the approach within the adopted LDP. The HLR should be updated and extended to cover until at least 2034 or 10 years from Plan adoption.

Iain Nelson (1323043)

Concentration on allocations on central brownfield not suburban greenfield sites (assumed).

Jane Shadforth (1323040)

A lower housing requirement or more infrastructure investment to match new building (assumed).

Kirkwood Homes per EMAC Planning (1270584)

A higher requirement closer to the approach within the adopted LDP. The HLR should be updated and extended to cover until at least 2034 or 10 years from Plan adoption.

Muir of Ord Community Council (1323337)

Clarification of why Table 3 sets the affordable portion of the future housing requirement at 72% but that General Policy 10 only seeks 25% of future housing component sites as affordable.

Nairn River Community Council (1312260)

A much lower housing requirement centred on meeting indigenous housing need

(assumed).

Nairn West & Suburban Community Council (1323971)

A much lower housing requirement centred on meeting indigenous housing need (assumed).

Pat Munro (Alness) per Daniel Harrington (1312301)

A more detailed review and analysis of the housing land requirement and the effectiveness of allocations to ensure a 5 year effective supply can be maintained throughout the Plan period.

Rachael Probee (1310748)

Plan should support only genuinely affordable housing and only then if it's needed at all.

Robertson Homes per BWP (1266646)

A higher requirement total of 17,250 homes, covering a ten year period from plan adoption (i.e. likely to be up to 2033 or 2034).

Scottish Government (963027)

Addition of clarification whether the Minimum Housing Requirement (MHLR) represents the level of identified need or is an assessment of the deliverable land required to meet this need. A clear spatial context of the land it intends to allocate in order to meet the Minimum Housing Requirement (MHLR) in Table 3, especially in relation to affordable housing. An explanation of the Plan's relationship with the Strategic Housing Investment Plan and emerging Local Housing Strategy.

Springfield Homes (1147956)

A higher requirement total, a lower windfall allowance and a higher % inflation for future economic growth led housing need/demand.

Summary of responses (including reasons) by planning authority:

Response to Each Sub-Issue Raised

Context

A local development plan for each of the housing market areas (HMAs) within its boundary, is to identify and help deliver a sufficient and effective housing land supply for both the affordable and market sectors. This involves gathering and analysis of evidence but also a series of assumptions about an uncertain future. For example, assumptions have to be made about future: in-migration, attitudes to land release of major landowners; changes in individual, corporate or national tax and other financial circumstances that incentivise or disincentivise switches between land uses, housing tenures and occupancy; income levels and therefore affordability; central and local government subsidy levels for affordable housing and investment decisions in major infrastructure projects; local employment growth; and, national interest rates. Perhaps because of this uncertainty, the Scottish planning system provides guidance rather than legislation to instruct how local planning authorities (LPAs) should balance housing supply and demand. Each council is required to complete a Housing Need and Demand Assessment (HNDA) and use this as a basis for setting a policy adjusted Housing Supply Target (HST) (sometimes called a Housing Land Supply target), which is to be shown to be sufficient and deliverable over the plan period through a Housing Land Audit (HLA). LPAs are encouraged by Scottish Government guidance to add a generosity allowance to inflate the HST to establish an

overall Housing Land Requirement (HLR). This too hints at the need for flexibility because of the uncertainty in making the assumptions listed above.

The Council's Methodology

The Council's detailed calculation of the Plan area housing requirement is set out in a supporting paper [*] and 2020 HNDA [*]. The Council accepts that past trend based forecasts have weaknesses and that a LPA should be ambitious in terms of stimulating economic activity. However, a LPA must also balance that ambition with a pragmatic assessment of the economic viability to the public sector and other infrastructure providers of servicing new development whether this is education, health, water, sewerage, roads or greenspace provision. Given this balancing act and the uncertainty explained above, the Council has chosen to maximise the Plan's flexibility to respond to changes in future housing supply and demand by:

- defining the HLR within Table 3 as a minimum rather than as a fixed target (similar to the approach adopted by Scottish Government within draft NPF4);
- incorporating an additional 30% generosity/flexibility allowance (similar to the approach adopted by Scottish Government for Highland within draft NPF4);
- incorporating an additional 10% allowance for the Mid and East Ross HMAs to allow for new jobs-led housing need / demand in these areas off the back of expected growth in the renewables sector in these locations;
- expressing the indicative capacities of several of the larger housing component allocations as two figures, the first for the number of houses expected to be built out within the initial 10 year Plan period and the second bracketed figure as the total capacity of the whole site;
- restating that the capacity and phasing figures are indicative and that higher figures may be acceptable, particularly for wholly affordable housing schemes, at planning application stage if other Plan policies are met especially those on placemaking;
- choosing a high migration scenario within the HNDA and adding an "in-year arising need" allowance within the base HNDA calculation because the current national HNDA "snapshot-in-time" methodology misses this element of need;
- assuming a future windfall allowance that only 30% of future house completions will be outwith sites specifically allocated for housing or a mixed use designation with a housing component; and,
- allocating sites with a total, initial 10 year, capacity well in excess of the minimum housing land requirement.

Several respondents suggest greater flexibility in the total requirement, site capacities, site phasing, the number of sites allocated and/or a more permissive approach to rural (windfall) development. The Council believes that the bullet points above provide sufficient flexibility to respond to likely future circumstances. A plan-led planning system has to offer a degree of certainty to the development industry, local communities, infrastructure providers, agencies and other stakeholders. If a significant deviation is required post Plan adoption (expected 2024) then the Council will at that time be in the process of preparing a new-style (Planning (Scotland) Act 2019 provisions based) LDP for Highland. This will allow consideration of the need for significant revisions for the Inner Moray Firth area.

Several respondents suggest that following NPF4's housing requirement methodology is flawed because of pending and currently unresolved objections to that methodology. The Council only follows NPF4's methodology in terms of using similar HNDA justified base figures, a 30% generosity allowance, choosing a 10 year time frame, and expressing the requirement as a minimum. The Council has made several, upward, policy adjustments to the figures where we believe they are justified by available evidence.

One respondent queries why so many houses are needed if the population is currently stable. This is explained in detail within the 2020 HNDA [*] but essentially an indigenous population that shows little natural change (births relative to deaths) can still generate a housing requirement if there is forecast net in-migration and declining household sizes. Another respondent queries the use of the high (net in) migration scenario. Again, the 2020 HNDA provides further details but Highland and particularly the Inner Moray Firth has experienced high levels of average net in-migration over the last 20 years and the Council sees no reason why this won't continue. Most of this in-migration in recent years has been from the rest of Scotland and the wider UK. The pandemic and improved digital connectivity has made attractive rural areas such as Highland suitable locations for home working as well as for early retirement. Economic prospects too are equivalent to or better than in recent years due in large part to the presence of existing and likely new renewables industry sector jobs. Another respondent suggests that the Council's methodology in its 2020 HNDA [*] double counts people on the affordable housing waiting lists. Paper 2 that accompanies the HNDA explains that in-year arising need is additional to that recorded in the annual, point-in-time snapshot of those on the lists. The Scottish Centre for Housing Market Analysis has endorsed this methodology as robust and credible. The Scottish Government queries the terminology used within this section of the Plan and in particular the absence of a HST. Table 3 jumps ahead to a HLR (adding the 30% generosity/flexibility allowance) and doesn't specify the HST. The Council's supporting paper [*] includes the separate steps in reaching the HLR and the intermediate HST totals for each HMA. The Plan area overall HST is 6,510.

Delivering Sufficient Affordable Housing

The HNDA [*] and Table 3 suggest that 72% of the future all tenure housing land requirement total should be earmarked for the affordable sector. Currently, only 25% of the capacity of larger (4 or more units) market led sites are likely to deliver affordable units. Registered Social Landlords (RSLs) and other affordable housing bodies can acquire and lead delivery of their own sites. Currently however, within the Plan area, public subsidy levels don't allow affordable housing providers to compete with the private sector in bidding for and acquiring allocated development sites and therefore future landbanking opportunities for the affordable sector are poor. In simplistic terms, the affordable/market split should be 3:1 but in reality it is or will be closer to (1:2). Scottish Government More Homes Division data for the Plan area shows the affordable/market split of development between mid 2015 and mid 2022 to be 2,020:3,205 or 38.7%:61.3% [*]. The Council's latest Local Housing Strategy for 2023-2028 is still in preparation and the current one for 2017-2022 is dated and relies upon the 2015 HNDA. More informative is the Highland Council Strategic Housing Investment Plan 2022-2027 [*] which sets strategic but realistic (likely to be subsidised by Scottish Government) targets for affordable housing delivery. The Plan area target is 354 affordable units a year equivalent to a total of 1,770 units over 5 years. Moreover, there is no effective way to reserve or safeguard allocated land for the affordable sector. A social housing use class and/or a Scottish Government commitment to support LPAs in applying a higher affordable unit percentage "quota" to market sites have been considered but not taken forward in national policy or legislation. Many of the development industry respondents assert that the solution to increasing affordable housing unit provision is to increase the total all tenure requirement and allocate far more land and then that the industry will willingly deliver 25% of that much more generous housing land supply. Using this method, delivering the required 10 year 6,075 unit affordable sector total would require a total all tenure requirement of 24,300 units (approaching a threefold increase). The Council believes that setting such a requirement would undermine the legitimacy of the HNDA process in setting

fair and proportionate base estimates of housing need and demand, and as set out below, compromise the Plan's Spatial Strategy.

An Effective Housing Land Supply

The Council's rationale not further to inflate the HST and HLR is based upon the Plan's Spatial Strategy twin themes of environmental sustainability and economic viability. Specifically, the Council believes that there are infrastructure capacity constraints which currently have no economically viable (for the private and/or public sector) solution and therefore allocating more housing land without a viable solution is inappropriate. This does represent a change in approach to that within the aIMFLDP. The Council has long taken the approach of a very generous housing land supply in the hope that, other things being equal, this will deflate local housing land prices and therefore help increase the affordability of both market and affordable sector housing which in turn will aid economic growth. However, this approach has had mixed results. The Plan area has attracted more volume housebuilder interest and higher average completions levels but the public funding necessary to improve infrastructure and community facility networks and capacity to underpin that growth has not been available, been insufficient or has lagged behind. Some Plan respondents on this and other issues also argue that local environmental (such as water quality and landscape) capacities have been breached.

The "effectiveness" of any given site or allocation is to be assessed against the criteria listed within Scottish Government guidance (PAN 2/2010 [*]) and most relevant to the Plan area are the two criteria of deficit funding and infrastructure. For example, there is a lack of primary and secondary school capacity across the City of Inverness. Developer respondents have suggested land safeguards for new primary school sites and standard developer contributions towards the provision of school buildings. Inverness education developer contributions vary per residential unit for secondary and primary education combined but around £10,000 per unit is typical. This contribution can be compared with a typical current total cost of a standard Highland primary school of £10-15M and a secondary school of around £60M. The Council wishes to address existing and future school capacity issues and has allocated capital programme monies [*] towards this end but most of these monies are in later years of the programme and have no legal commitment. Put simply, there is a public (and private) deficit funding issue for the infrastructure necessary to support additional development. Many LPAs are reluctant to use a lack of infrastructure capacity as a reason for refusal of a planning application if the applicant makes a commitment to make a developer contribution proportionate to the application's impact on that capacity deficiency even though the balance funding to remedy that deficiency isn't committed. However, at least one refusal on that basis has been made and backed at appeal and at court [*]. The Highland Council through this Plan intends to take a firmer approach to resisting development allocation submissions and planning applications where a significant infrastructure capacity deficiency exists and its resolution through standard developer contributions is unlikely. Instead, the Plan's Spatial Strategy seeks to allocate fewer sites than within the aIMFLDP but in more environmentally sustainable and economically viable locations. In doing so it intends to reserve, ration and make best use of limited existing and planned future infrastructure capacity.

The Council's 2022 HLA [*] provides the Council's best guess on the likely delivery of aIMFLDP and IMFpLDP sites across the Plan area. It demonstrates that the Plan allocates sufficient effective land combined with known existing larger (4 or more unit sites) windfall development (programmed to deliver 9,142 units over the period 2022-2032) to meet the total all tenure Plan requirement (HLR) of 8,463 identified in Table 3 and easily meet the

30% lower total HST of 6,510 units. The programming of aIMFDP sites combined with known existing larger windfall development suggests a small shortfall relative to the HLR but an excess relative to the HST (8,356 compared to 6,510). However, the Council accepts because of the reasons listed in the context section above that the future is uncertain and so the programming assumptions are debatable. Again, the timing of key public and private infrastructure investments will make a significant difference. For example, many East Inverness allocations are dependent upon Transport Scotland's "East Link" road scheme which is far advanced, has political commitment but, as yet, has no legal commitment. Similarly, the hoped for but not certain expansion of the renewables industry at Plan area ports could spark a surge in housing need and demand and with it the public and private infrastructure funding necessary to accommodate it. Given the above, the Council has adopted an approach based on the best evidence currently available, flexible to future uncertainty, and within known environmental and infrastructure constraints.

Delivering Sufficient Market Sector Housing

Many development industry respondents dispute whether the Plan will deliver sufficient open market sector house completions. They assess sufficiency against past private completions not against the market sector portion of the land requirement in Table 3. Recent (mid 2015 to mid 2022) market sector completions within the Plan area average 458 per annum [*]. Table 3, which is based upon the 2020 HNDA, estimates a Plan area requirement of 2,389 units over 10 years or 239 units per annum. This suggests a considerable shortfall but the Council believes that past completion rates have exceeded indigenous need and demand (as defined by the "base" 2020 HNDA figures) because of the attractiveness of the Plan area to the holiday home, second home and short term let market. In reality, for the reasons explained above, the market sector will dominate the delivery of the (sufficient) all-tenure housing land supply. For example, most Inverness allocated sites are owned or optioned by private housebuilders not by RSLs and currently the Council has no effective means of changing the affordable/market split of future completions. Accordingly, the Council does not believe that the apparent shortfall of the market sector requirement against past market sector completions, justifies a change in the content of the Plan.

Broadland Properties allege a particular Mid Ross HMA shortfall in the HLR/HST and in the programming of genuinely effective housing component allocations to deliver against an adjusted HLR/HST. The Council addresses site-specific matters in the relevant settlement Schedule 4s but factually the current, 10 year, Mid Ross HST is 1,043 units and corresponding HLR 1,356 units. The Council's 2022 HLA [*] demonstrates that the Plan allocates sufficient effective land combined with known existing larger windfall sites (programmed to deliver 1,060 units over the period 2022-2032) to meet the HST within the Mid Ross HMA although there is shortfall if assessed against the Mid Ross HLR. The HLA doesn't include 1-3 unit smaller windfall housing developments of which there are many (in terms of past completions) across the Mid Ross HMA.

Windfall

Many development industry respondents dispute the Council's 30% deduction for windfall (defined by the Council as house completions outwith the boundaries of sites allocated within the aIMFLDP) as too large a deduction. The Council's current Plan assumption for future windfall is based upon the location of recent house completions [*]. Between 2015 and 2020, 38% of Plan area house unit completions were built outwith sites allocated in the aIMFLDP. A fuller analysis has now been undertaken [*] for the five financial years 2017/18 to 2021/22 which has revealed a drop in the proportion of house completions

defined as windfall, which averaged 25% over that period. This drop in windfall appears to be due to a reasonably constant number of countryside and infill developments but a large increase in the activation and progress of the larger residential expansion sites notably in Inverness. In numeric terms, a lower 25% windfall allowance would take the total HLR down to an allocated sites 10 year target of 6,347 units compared to a 10 year Plan allocations capacity of 8,208 units. Contrary to the argument made by Springfield Homes, the Chapelton Farm, Balloch site has had no completions within the period of monitoring and therefore has not “artificially” boosted the number and proportion of completions that are defined as windfall. Similarly, the Plan’s proposed drawing in of some of the Settlement Development Areas (SDAs) notably at Inverness will not make an appreciable difference to windfall because over the monitoring period few completions have occurred on unallocated land between the aIMFLDP and IMFpLDP SDA boundaries. In many cases the drawing in of an SDA has been made in line with the removal of an aIMFLDP allocation and this net change makes no difference to windfall. The other landowner/developer argument is that brownfield infill opportunities are limited within the Plan area compared to within more urban LPAs and therefore this form of windfall development will be lower within the Plan area. Whilst the relative availability of brownfield opportunities differs between urban and rural LPAs it hasn’t and won’t differ over time within the Plan area. The Council would be content if the Reporter were to recommend a rewording of paragraphs 31 and 32 to reflect this latest monitoring data on windfall development.

Brownfield Not Greenfield

Many respondents who are objecting to development, suggest that the Plan should limit new housing development to previously developed land or buildings. This is a laudable and environmentally sustainable objective but impracticable given the relatively small number, availability and economic viability of many brownfield sites within the Plan area. The Plan allocates several larger brownfield sites particularly within the centres of the main settlements but all face “effectiveness” challenges. To date, the volume housebuilders have not refurbished or redeveloped any large brownfield site within the Plan area for housing development without some form of public or landowner subsidy.

Response to Each Individual Representee

Antonia Wright (1311246)

Noted.

Broadland Properties per John Wright (1312043)

See Delivering Sufficient Market Sector Housing section above. The 2022 HLA has now been published and involved consultation with landowners and developers. Broadland Properties purchased its considerable Black Isle landholdings from Eagle Star Insurance in October 1991. To date it has released very few large sites for development but has sought to maintain allocations in the development plan to maintain their balance sheet asset value. It is therefore ironic for the respondent to claim that the attitude of other landowners to land release has been a problem in the effectiveness of allocated sites.

Forbes per G&G (1271817)

See all sections above save Delivering Sufficient Affordable Housing.

HIE per Turnberry (1312470)

See Context, The Council’s Methodology and An Effective Housing Land Supply sections above.

Highland Housing Hub (1154846)

See Context, The Council's Methodology and An Effective Housing Land Supply sections above. Experience to date of Freeports elsewhere in the UK and from previous Enterprise Zones has been of modest net employment growth because they include(d) some displacement of existing enterprises and employment. The Council believes that the Plan incorporates sufficient flexibility to adjust to likely future circumstances. 25,000 net additional jobs would necessitate further adjustment but an early "new-style" Plan review is scheduled and could address any radically different future.

Homes for Scotland (966619)

See all sections above.

Iain Nelson (1323043)

See Brownfield Not Greenfield section above.

Jane Shadforth (1323040)

See The Council's Methodology and An Effective Housing Land Supply sections above.

Kirkwood Homes per EMAC Planning (1270584)

See all sections above.

Muir of Ord Community Council (1323337)

See Delivering Sufficient Affordable Housing section above.

Nairn River Community Council (1312260)

See The Council's Methodology, Delivering Sufficient Affordable Housing, An Effective Housing Land Supply and Brownfield Not Greenfield sections above.

Nairn West & Suburban Community Council (1323971)

See The Council's Methodology, Delivering Sufficient Affordable Housing, An Effective Housing Land Supply and Brownfield Not Greenfield sections above.

Pat Munro (Alness) per Daniel Harrington (1312301)

See The Council's Methodology, Delivering Sufficient Affordable Housing, An Effective Housing Land Supply and Delivering Sufficient Market Sector Housing sections above.

Rachael Probee (1310748)

The Council accepts that affordability is a moving target which varies with many factors such as income levels, average house prices, average house rents, mortgage rates and individual financial circumstances. The Council accepts that many affordable tenures such as low(er) cost owner occupation are not affordable to all those on the housing waiting lists. Even Council rented accommodation, with the highest level of public subsidy, is unaffordable for some. However, the level of public subsidy made available to support people to own or rent a suitable property is outwith the Plan's control.

Robertson Homes per BWP (1266646)

See all sections above.

Scottish Government (963027)

See The Context, The Council's Methodology and Delivering Sufficient Affordable Housing sections above. The suggestion that the Plan should provide a spatial indication of the

land it intends to allocate to meet affordable sector need is curious given that the Scottish Government won't legislate to allow LPAs to safeguard land specifically for affordable housing. Currently, the Council seeks 25% of market led sites and RSLs are trying to landbank and take forward sites on which they can deliver a far higher percentage.

Springfield Homes (1147956)

See all sections above.

Reporter's conclusions:

Reporter's recommendations:

Issue 10	Employment and GP6: Town Centre First	
Development plan reference:	Policy 6 – Town Centre First	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Abrdn per Phil Pritchett (1312484) Antonia Wright (1311246) Dean Morrison (1310117) Donald Begg (1312031) Equorium Property Company Ltd (1312478) Hercules Unit Trust (968628) Inverness College UHI (1271524) Lidl Great Britain Ltd (1312411) Nairn River Community Council (1312260) NatureScot (1266529) NewRiver Retail (Napier) Ltd per Montagu Evans (1323077) Rachael Probee (1310748) RSPB Scotland (1311075) Steve North (1263190) Tesco Stores Ltd (1312483)</p>		
Provision of the development plan to which the issue relates:	Employment and GP6: Town Centre First	
Planning authority's summary of the representation(s):		
<p><u>Abrdn per Phil Pritchett (1312484)</u> Objects as the Council has produced no supporting evidence of retail need supporting the change in policy removing the hierarchy of centres as currently outlined in the adopted IMFLDP. As such the proposed policy is not consistent with national planning policy which requires the Council define a hierarchy of centres. The policy should recognise that in a growing city the size of Inverness, district and local centres serve an important role and are often in more accessible and sustainable location than the city centre. Inshes Raigmore Development Brief 2015 (which is an appendix to the proposed plan) positively promotes Inshes as a recognised centre and allocates expansion land for mixed use development and on which planning permission has been granted. The policies of the plan should be adjusted to reflect the development brief which forms part of the plan.</p> <p><u>Antonia Wright (1311246)</u> Supports (no reasons stated).</p> <p><u>Dean Morrison (1310117)</u> Supports subject to a full review of how town centres and high streets can be better prepared to ensure they are able to gain more footfall.</p> <p><u>Donald Begg (1312031)</u></p>		

Supports the policy as town centres have been steadily declining for a number of years and the proposed policy provides enhanced support and encourages greater uses within the centre, but this has to be carefully managed to ensure access and parking is secured.

Equorium Property Company Ltd (1312478)

Responds as owners of the Holm Mills Shopping Village which is located at Holm Mills Road, Dores Road, Inverness. Seek reaffirmation of the provisions of the Torvean and Ness-side Development Brief as it relates to that land – i.e. its role as an important City retail and tourism destination because of: the range of its retail offer, tourist facilities and coach/sightseeing bus connectivity; the allocation in the aIMFLDP; the owner's commitment to develop and expand Holm Mills site and improve the visitor experience and retail offer; the site is part of a chain of 20 similar operations across the UK; and, refurbishment and expansion will safeguard existing and create new jobs and retain the site's existing visitor accreditation from Visit Scotland. Also requests addition of Holm Mills Shopping Centre to the hierarchy of protected commercial centres within General Policy 6 because this approach would accord with the advice of the Scottish Planning Policy (paragraphs 61 to 63) which confirms that commercial centres like the Holm Mills Shopping Village should be included as part of the network of centres in development plans.

Hercules Unit Trust (968628)

Objects as the adopted IMFLDP (aIMFLDP) Policy 1 identifies a hierarchy of centres including Commercial Centres as Tier 2 Centres. Inverness Shopping Park ("West Seafield Retail Park") is identified as a Commercial Centre under Policy 1 in the aIMFLDP. The proposed policy does not identify a network of centres and is therefore not in accordance with SPP, or with draft National Planning Framework 4 (NPF4) Policy 24. The abandonment of the Commercial Centre designation is without reasoned justification and is contrary to the stated aim of the proposed Plan at paragraph 38 which is to "direct development to the most economically viable and environmentally sustainable places" and is contrary to draft NPF4 Policy 26 which recognises that Commercial Centres should be given sequential preference to out of centre locations. Inverness Shopping Park is an important part of the established hierarchy of centres and is a preferred location for retail and other footfall generating uses compared with out of centre locations. Under Policy 6, Inverness Shopping Park would be classified as "out of centre" with the same status as all other locations outside town centres and the statements "Only in exceptional circumstances will development which generates significant footfall be acceptable outside of town centres" and "will only be considered where they are easily accessible by a choice of sustainable transport modes and there is an overriding economic or community benefit deriving from the development" underlines the inappropriateness of this Policy being applied to Inverness Shopping Park.

Inverness College UHI (1271524)

The objector seeks clarification in relation to the following statement: "*this sequential approach does not apply to proposals which meet the specified uses and developer requirements of site allocations located within designated town centres*". The former college site, allocated as INC05 in the proposed plan is supportive of business, retail and community uses, all of which will generate footfall. It is not, therefore, currently clear how the statement relating to the application of the sequential approach should be interpreted, and whether the sequential approach will be applicable to sites that are designated for specified uses that will generate footfall within the Plan?

Lidl Great Britain Ltd (1312411)

Objects as the promotion of a town centre first approach to the exclusion of development in local centres and similar directly conflicts with the aim of the proposed policy. The size of Inverness is such that, if all new facilities and services are concentrated in the city centre then residents, especially those living in south and east Inverness, will be forced to travel a significant distance into the centre, primarily through the use of private car transport, to access these services. Previous LDPs has been to promote a distribution of services and facilities in local and commercial centres. This has a double benefit of (i) ensuring that services are accessible locally thereby supporting social and community inclusion and (ii) minimising the distance travelled by residents to access these services, encouraging the use of active travel modes (walking wheeling and cycling) and reducing carbon emissions. This approach would also be consistent with the Scottish Government's 20-minute neighbourhoods' concept and should continue to be supported in IMFLDP2. The reference to the "experiences over the past two years...prime destinations for people and businesses" is factually incorrect. The past two years has demonstrated the opposite i.e. that there has been a heightened use of local facilities, greater home-based working and greater use of delivery services/click and collect for the purchase of goods and services. This has reinforced and accelerated longstanding trends for retail businesses to move away from mid-sized town centres and concentrate in larger regional centres. The Council have not commissioned any studies examining the changing retail trends and how they affect the future of town centres and how planning policies and proposals should respond to these concerns. The respondent also objects to "only in exceptional circumstances...outside of town centres", as there are clear community, social and environmental benefits associated with the provision of shops and facilities that serve local markets being located in local centres. The principle of assessing impacts as current drafted implies that all proposals would require to be assessed – this is unreasonable and inappropriate for small scale proposals and/or modest extensions. SPP sets a threshold of 2500sq.m GFA as a generally appropriate threshold, although in rural areas a threshold of 1000 sq.m GFA should be used outwith Inverness. For either threshold there should be some flexibility to reflect local circumstances. In terms of the sequential approach, as drafted it is theoretically possible that a location out with an urban areas could be identified as an acceptable location for development – this would conflict with both Policy 40 of the HwLDP and Scottish Planning Policy. The draft policy places the emphasis between proposed development and suitability of centre in the Sequential approach the wrong way around. It is not whether the proposed development is suitable for the town centre but whether there are any locations within that centre that would be suitable for the proposed development (by virtue of scale, type, location and any other relevant factors). The suitability of the town centre per se does not determine whether or not the proposal is capable of being accommodated within that centre. This is the approach that is adopted in both HwLDP Policy 40 and also in Scottish Planning Policy.

Nairn River Community Council (1312260)

Objects to a lack of policy and focus on employment generation and job creation with links to green policies within the proposed plan. Seeks assurances as to how this part of the proposed plan comply with policies 10 (Sustainable Transport) & 16 (Land and premises for business and employment) of NPPF4. In terms of the Policy 6 (Town Centre First) they object as there is evidence of previous inconsistency with the policy aim to ensure "...all opportunities for regeneration through reuse or redevelopment of existing sites and buildings should be undertaken..". Therefore, moving forward this policy must be rigorously applied in order to meet the Town Centre first principles. Notes that whilst they support the retention of significant footfall developments within town centres, this is at odds with recent proposals by the Council to relocate Nairn's library out of the Town Centre. Finally, seeks assurances as to how this part of the proposed plan comply with

policies 24-27 (Town Centres Distinctive places), Policy 18 (Cultural and creativity), Policy 28 (Historic Assets and Places), and Policy 30 (Vacant and derelict land and empty buildings) of draft NPPF4.

NatureScot (1266529)

Objects to the policy as it should provide opportunities for greening town centres and to link up to active travel routes including green networks which can help to address the twin crises of climate change and biodiversity loss, whilst transitioning to a green circular economy.

Rachael Probee (1310748)

Objects as concerned that from past experience that the policy will not work.

NewRiver Retail (Napier) Ltd per Montagu Evans (1323077)

Objects as the proposed policy fails to identify a network of centres and how they can complement each other as required by Scottish Planning Policy. Policy 25 (Retail) of draft National Planning Framework 4 notes that retail development in commercial centres should not be supported, unless explicitly supported by the Development Plan. As Telford Street Retail Park is an established retail location in Inverness, there should be explicit support within the IMFLDP2 for retail development at Telford Street Retail Park, to ensure that future proposals are not inhibited by Policy 25 Retail in the NPF4.

RSPB Scotland (1311075)

Supports as likely to reduced reliance on private car use and makes best use of existing developed land.

Steve North (1263190)

Supports as it is important in order to help address further hollowing out of city centres and edge of town sprawl.

Tesco Stores Ltd (1312483)

Objects to this policy and supporting text, as it is not consistent with national planning policy guidance as it does not promote and support the hierarchy of centres within. The Council has provided no evidence base for no longer supporting long established district and local centres identified in previous and the currently adopted IMFLDP. The policy should also acknowledge that in a growing city the size of Inverness, district and local centres serve an important role and are often more accessible and sustainable location for certain types of shopping.

Modifications sought by those submitting representations:

Antonia Wright (1311246), Donald Begg (1312031), Nairn River Community Council (1312260), RSPB Scotland (1311075) & Steve North (1263190)

No modifications sought/identified

Abrdn per Phil Pritchett (1312484)

Policy should provide a hierarchy of centres in Inverness which acknowledges the role and importance of each centre from which the sequential approach can be addressed. The plan should recognise the national policy guidance on 20-minute neighbourhoods which the district centres in Inverness were originally designed to promote and in which they have been successful to date. Inshes District Centre is a long-standing part of this existing hierarchy and this should be maintained. The policy should also note where

planning permission has already been granted in accordance with development plan policies for extensions to recognised centres.

Dean Morrison (1310117)

Addition of commitment to local action and support to town centres to make this policy work.

Equorium Property Company Ltd (1312478)

Addition of Holm Mills Shopping Centre to the hierarchy of protected commercial centres within General Policy 6.

Hercules Unit Trust (968628)

Identification of a hierarchy of protected centres which include Inverness Shopping Park as a Commercial Centre.

Inverness College UHI (1271524)

Amendment to Policy 6 to ensure that there is no ambiguity as to when the sequential approach should be applied. This amendment should clarify, if retail and other footfall generating uses are supported in an out of centre location on an allocated site in the IMFLDP2, then whether a sequential assessment will, or will not, be required

Lidl Great Britain Ltd (1312411)

Amendments – “Sequential assessment” replaced with “sequential approach”, “Vibrancy” replaced with “vitality”, “vibrancy or viability” of town centres replaced with “vitality and viability”, “edge of centre” replaced with “edge of town centre”, and “other locations” replaced with “out-of-centre locations”. The application of the test of impact on the vitality and viability of town centres should be required only for developments of 2500/1000 sq m GFA subject to consideration of local circumstances. Sentence 4 of draft Policy 6 (beginning “Should the ..”) should be amended to: Should there be no suitable sites or premises within nearby town centres, by reference to their scale, type or otherwise viability, or which cannot be regarded as reasonably available, for the proposed development, then edge of town centre locations are favoured second. Amend sequential of preferred site to: town centre, then edge of centre and then Out of Centre locations (easily accessible by a choice of transport modes). Sentence 5 of draft Policy 6 should read: Other out of centre locations will only be considered where they are easily accessible by a choice of sustainable transport modes and no town centre or edge of sites are both suitable and reasonably available. Delete reference to “overriding economic...development”. Deletion of “overriding economic...benefit deriving from the development” from the end of para 1 (sentence 5) of draft Policy 6.

NatureScot (1266529)

Amendment to ensure that the Plan addresses both biodiversity loss and climate change opportunities for greening town centres and to link up to active travel routes including green networks.

Rachael Probee (1310748)

Unclear.

NewRiver Retail (Napier) Ltd per Montagu Evans (1323077)

Identification of Telford Street Retail Park as a Commercial Centre. Addition of what retail uses within retail parks will be considered acceptable, without the need for a sequential assessment, or retail or town centre impact assessment.

Tesco Stores Ltd (1312483)

Addition of commercial and local centres including Inshes, West Seafield and Dores Road.

Summary of responses (including reasons) by planning authority:

Abrdn per Phil Pritchett (1312484)

National planning and transport policy is evolving. Against this fluid context, the Plan's Spatial and Transport Strategies aim to identify and protect an optimum network of centres. By optimum, the Council means economically viable for the operators in terms of available catchment spend (not for particular landowners or property developers) and environmentally sustainable in terms of maximising travel to, from and within each centre by sustainable modes. Both of these requirements also mean enabling and protecting centres with retail (and other footfall generating) provision that are diverse and attractive enough to prevent longer journeys by unsustainable travel modes – i.e. are competitive in terms of price, quality, range and service. The primary goal of both approved and emerging Scottish Government planning and transport policy is to encourage LPAs to identify, support through permissions, and then protect an optimum network of "town" centres. "Town centres" are defined in paragraph 62 of Scottish Planning Policy (SPP) as those that are genuine mixed use, day-long meeting places with good sustainable travel mode accessibility and architectural or other attractive character. SPP does allow the identification of other, lower preference centres. The Plan differs from approved Highland LDP policies by proposing not to continue to identify and protect the Inverness district, neighbourhood and commercial centres listed in Policy 1 of the aIMFLDP. The reasons for so doing is that these lower tier centres don't meet all the SPP "town centre" definition criteria, most have no architectural merit, most are designed for car borne shoppers, and by removing protection from them the Council will encourage the introduction of residential uses at ground floor level within them, which, other things being equal, could increase sustainable mode travel.

From the information supplied within recent developer produced retail impact assessments, the Council doesn't dispute the quantitative need for more convenience retail floorspace across Inverness. It therefore hasn't commissioned a retail capacity assessment for the Plan area. It does dispute (with this and some other respondents on this topic) the optimum location for such provision and has allocated a choice of sites with a commercial component to satisfy this demand. Existing Inverness retail parks benefit from legacy permissions and meet some of the SPP "town centre" criteria tests so are unlikely to be in need of protection from out of centre commercial development if it is proposed on a less sustainable site. The Council's commercial component allocations at Stratton/Ashton reflect an extant planning permission and/or an adopted LDP allocation. It is appropriate for the Council to plan for future mixed use hubs so long as they are central to the neighbourhood / district served and can be designed from the outset as a centre that can meet the SPP tests. See the relevant Inverness issue papers for the Council's response to place-specific matters. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Antonia Wright (1311246)

Support noted.

Dean Morrison (1310117)

Support noted. The Council is separately undertaking town centre audits across all town centres across the authority region, these will inform the Council of the current state of our

town centres and identify future priorities.

Donald Begg (1312031)

Support noted.

Equorium Property per John Handley (1312478)

See Council response to Abrdn above regarding the hierarchy of protected centres. Plan allocation INS17 Ness-side North, promotes very little substantive change to the adopted Brief's provisions other than opening up the option of some housing use of the respondent's property. The importance of the Mills as a long standing tourist attraction and local commercial centre is recognised. The Plan and the approved Brief support the expansion of that role. Notwithstanding the above, the Plan does not, separately, identify and protect commercial centres that don't meet all of the SPP town centre tests. The land at Holm Mills does not.

Hercules Unit Trust (ID718) (968628)

See response to Abrdn above. With specific reference to Inverness Shopping Park (known as West Seafield Retail Park in the aIMFLDP) there are currently no obvious new development opportunities within the centre. Local development plans must focus on areas of significant change and within the centre as defined in the aIMFLDP there is little potential for new development. Identification as a commercial centre is not required to allow the centre to continue operating nor for any possible future change of use of existing units or intensification of their use. Policy 6 of the IMFpLDP2 requires developers to consider how appropriate the nature of their proposal is to the scale and function of the centre within which it is proposed. This would allow for appropriate development within the centre. Whilst Inverness Shopping Park is not identified as a commercial centre in the Plan, the Policy tests set out in its Policy 6 as well as Scottish Planning Policy for footfall generating development are the same – they both require a sequential assessment which demonstrates there are no suitable sites in the nearby town centre(s) and that the proposal will not have an adverse impact on the vibrancy or vitality of that town centre(s). Therefore, the appropriate tests sought by the respondent will continue to apply.

Inverness College UHI (1271524)

The former Inverness College sites lies within the defined Inverness City Centre boundary and therefore as noted in the draft policy only '...developments outwith the designated town centres must provide a sequential assessment...'. Therefore, in this instance the sequential assessment is not relevant to the former college site. Furthermore, the policy notes that '...this sequential approach does not apply to proposals which meet the specified uses and developer requirements of site allocations located within designated town centres...', as such the site allocation stated uses would take precedence. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Lidl Great Britain Ltd (1312411)

The following factual changes noted by the objector are noted and accepted:

- 'Sequential "assessment" be replaced with 'sequential approach'
- 'Vibrancy' replaced with 'vitality'
- 'vibrancy or viability' of town centres replaced with 'vitality and viability'
- 'edge of centre' replaced with 'edge of town centre'
- "other locations" amended to "out-of-centre locations".

The suggested inclusion of the 2500sq.m threshold for the requirement for a retail or town

centre impact assessment is noted. However, across the entire Plan area this threshold is considered excessive and instead the Council operates a flexible and realistic approach to applying the threshold and one which respects the rural nature of the area. This stance is consistent with the town-centre policies within the Council's other two adopted area local development plans [*]. In terms of the objectors remaining suggestions of wording updates, these have been considered, but given the rural nature and to ensure the flexibility to apply the policy in the Highland context, the policy as written is considered to deliver the best possible outcome.

Nairn River Community Council (1312260)

HwLDP Policy 41 (Business & Industrial Land) outlines the Council approach to securing and safeguarding business and industrial land for employment purposes, including specifically identifying a number of sites/locations across the region. This policy is advanced through IMFpLDP by Policy 7 (Industrial Land), which outlines that sites will be identified and protected for the stated uses within each settlement. Policy 7 of the Plan also seeks to protect employment uses, by ensuring developments which could diminish footfall are properly considered and avoid adversely affecting the town centre's prime retail area. In terms of the sustainability of the major sites allocated for business or industrial land outwith SDA's, these have been allocated as they are all long-established business or industrial sites which have historic uses (brownfield sites and heavy engineering ports) which are generally undesirable to locate within SDAs. The Council is however keen to increase the sustainable transport links of these locations, as demonstrated by the support of the new rail halt at Inverness Airport, which also serves the the wider Inverness Airport Business Park. Consequently, no amendments to the Plan in terms of employment are proposed. With regards to the objectors' comments regarding the inconsistency of applying this policy across various locations and the proposed relocation of Nairn Library being at odds with the policy. Both are out-with the scope of the consideration of the proposed policy through the LDP examination process and are instead issues to do with its longer-term delivery. The Council is currently comparing all its general policies against the recently published, revised NPF4. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

NatureScot (1266529)

The importance of biodiversity loss and climate change are at the heart of the Plan. Other Plan general policies deal more directly with these issues and, as such, the respondent's requests do not need to be replicated within this policy. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

Rachael Probee (1310748)

This is a new policy approach which has been developed to strengthen the principle of town centres first and has been tested across other adopted Highland area local development plans and their respective Examinations. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this issue.

NewRiver Retail (Napier) Ltd per Montagu Evans (1323077)

See response to ABRDN above.

RSPB Scotland (1311075)

Support noted.

Steve North (1263190)

Support noted.

Tesco Stores Ltd (1312483)
See response to Abrdn above.

Reporter's conclusions:

Reporter's recommendations:

Issue 11	GP7: Industrial Land (including Renewable Energy)	
Development plan reference:	Section 3 General Policies, PDF Pages 54-57	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Antonia Wright (1311246) Broadland Properties per John Wright (1312044) Forbes per G&G (1271817) Homes for Scotland (966619) Inverness College UHI per Montagu Evans (1271524) Kirkwood Homes per EMACP (1312500) Nairn River CC (1312260) NatureScot (1266529) Network Rail (1312503) Port of Inverness per G&S (1220786) Rachael Probee (1310748) Scottish Government (963027) Springfield Group (1147956) Steve North (1263190)</p>		
Provision of the development plan to which the issue relates:	General Policy 7, PDF Pages 54-57	
Planning authority's summary of the representation(s):		
<p>Renewable Energy <u>NatureScot (1266529)</u> Notes that in paragraph 70 that natural assets are at the centre of building a green and sustainable economy, however, NatureScot are uncertain as to how natural assets that are currently important for biodiversity can also be protected in the Plan as part of the drive towards a green and sustainable economy. NatureScot also note that in terms of the transition to net-zero, the Plan tends to focus on renewables only. Tackling both climate change and biodiversity loss (along with other areas of focus) are important for a green recovery and a just transition to net-zero, and should be reflected throughout the Plan. Specifically, within the narrative for Renewable Energy, it is suggested these important economic opportunities are taken forward alongside the protection of internationally and nationally important natural heritage of the Cromarty and Moray Firths. As referenced in paragraph 74, NatureScot support the aim to consider creating Masterplan Consent Areas (MCAs) and would be happy to provide support in further developing these MCAs to ensure internationally and important habitats and species are incorporated into considerations for future development.</p> <p><u>Port of Cromarty Firth (1178440)</u> Port of Cromarty Firth is facilitating Opportunity Cromarty Firth which is a coalition of 30 organisations working together to deliver transformational change to the Highlands from the renewable energy projects taking place in our region and off our shores. The group</p>		

includes many landowners from across the region and 100% of the offshore wind developers awarded floating wind sites in ScotWind's east and northeast sectors. (13GW of the 14.6GW awarded). The Cromarty and Inner Moray Firth region sits at the heart of these offshore wind developments and, by extension, at the heart of an emerging green hydrogen economy. Scotland, and the UK have an opportunity to be world leaders in both of these technologies. Making the most of this opportunity means maximising the UK share of this manufacturing pipeline and taking every opportunity to reduce costs through synergies and innovation, which means lower long term green energy bills for the UK. The land available in an around the Inner Moray Firth is critical to unlocking this opportunity.

The Offshore Wind Sector Deal targeted a 60% local content. The latest supply chain submissions from the industry put the potential value of maximising UK content at £2.0bn per GW – i.e. a total of some £40bn by the mid-2030s off Scotland alone, with more to follow as the UK moves to net zero by 2050. The Cromarty Firth has the overwhelming endorsement of industry, government and in independent studies as the only location in Scotland with the land space, deepest waters and quaysides, sheltered anchorage locations, and a cluster of best-in-class companies and facilities, combined with the proximity to the windfarm sites that can deliver these ambitions for floating wind at the scale required, compete with established facilities abroad, and create the associated well-paid and sustainable jobs. This translates into £0.9-1.3bn per GW of UK manufacturing content that only the Cromarty Firth can deliver (equivalent to £18-26bn by the mid-2030's).

The ports of Invergordon and Nigg in the Cromarty Firth have supported more offshore wind projects than any other Scottish ports. The £2.5bn 588MW Beatrice, £2.6bn 1GW Moray East, and £3bn 1GW Seagreen offshore windfarms were constructed and marshalled from the Firth, which has also already supported two floating windfarm projects, Hywind and Kincardine. With partners at Port of Inverness, this region has stored and handled hundreds of onshore windfarm components and will play a critical role in doubling the UK's electricity storage capacity through pumped storage. Subject to Green Freeport status, the largest onshore green hydrogen electrolyser is also scheduled to begin production in 2024; resolving some of the grid constraint issues and producing clean energy that can be easily transported around the country and exported abroad. There are expansion plans at Port of Cromarty Firth, Nigg and Port of Inverness which need to be included within the updated IMFLDP – more detail is provided within the relevant Schedule 4 Issues.

Policy 7 – Industrial Land

Antonia Wright (1311246)

Supports the policy (no justification or further comments provided).

Broadland Properties per John Wright (1312044), Forbes per G&G (1271817), Homes for Scotland (966619), Kirkwood Homes per EMACP (1312500), Springfield Group (1147956)

Object to the policy, particularly the part which encourages small scale industrial units between 40 to 100m², as part of a residential development of 30 homes or more, because of incompatibility between the land uses, the benefits from agglomeration of such uses, and attractiveness for developer or occupiers. Questions the reasoning/evidence for such a policy.

Inverness College UHI per Montagu Evans (1271524)

Supports the introduction of Policy 7 Industrial Land but suggests that the wording of the

Policy should be amended. It is currently stated that “all sites allocated for Industry in this Plan are safeguarded for Classes 4, 5 and 6 uses only”. Inverness College UHI would encourage the Council to update this statement to note that “all sites allocated for Industry only in this Plan are safeguarded for Classes 4, 5 and 6 only”. Inverness College UHI are keen to ensure that where there is support for industrial development in a designated mixed use area, that the land is not unintentionally restricted by Policy 7 for Class 4, 5 and 6 uses only.

Nairn River CC (1312260)

Broadly support this policy it does not go far enough to encourage businesses to expand, create more employment, and grow the local economy, particularly outwith Inveness. All Development proposals must be considered against the Agent of Change principle. Seeks clarity on how Policy 7 Industrial Land complies with proposed NPF4 Policy NPF4 Policy 16 ‘ Land, Premises and Employment’. See Issue 43: Nairn for comments provided which specifically relate to NA05: Nairn East.

NatureScot (1266529)

Policy 7, as it is currently written, does not ensure that development in inappropriate locations is prevented. In terms of demonstrating a sustainable location, and the third bullet point ‘does not adversely impact the environment (see general policies in HwLDP)’, this is not specific enough in terms of what would be acceptable effects on the natural environment NatureScot advise that within this policy, there is a need to refer to all policies within section 21, ‘Safeguarding Our Environment’ of the HwLDP and advise that clarification is required within the Plan on what having good levels of accessibility for staff and/or customers is as indicated in the first bullet point.

Network Rail (1312503)

Supports the approach to industrial sites, especially where this includes sites which are linked to the existing railway network, or where there are plans for this to be improved (e.g. Inverness Airport Business Park/Inverness Airport Station). This provides the opportunity for sustainable forms of travel to be used by workers within such areas and for freight opportunities.

Port of Inverness per G&S (1220786)

Paragraph 75 details that there is a fundamental shortfall in industrial land in and around Inverness. The Harbour Gait proposal (Site Allocation INC06) presents an opportunity to deliver additional business and industrial land within Inverness.

Rachael Probee (1310748)

Questions whether this policy will be used appropriately, or will it create more, unnecessary office space.

Scottish Government (963027)

The Council’s Business and Industrial Land Audit from 2018 gives a strategic overview of the total business land supply, including how much of this supply is active and how much vacant land is available for future business development. The Audit is not referenced in the Local Development Plan nor is its importance in determining the business and industry strategic approach. To align with existing (SPP) and emerging national planning policy (draft NPF4) which seeks the identification of those areas that are likely to be most appropriate for onshore wind farms as a guide for developers and communities AND other renewable energy technologies. The proposed plan identifies support for the supply side of the renewables sector, however it does not cover specific policy support for renewable

and strategic energy generation technologies, including onshore wind. This may be due to the fact that renewables generation is provided for in other policy within the wider local development plan and strategies. If not already done, consideration should be given as to whether opportunity for all forms of renewable energy and low-carbon technologies should or can be identified, included and supported in the plan.

Steve North (1263190)

Support the policy of identifying and safeguarding land for industrial use.

See the Issue 36: Central Inverness (and City-wide) for comments provided which relate to proposed allocations on the Inverness waterfront.

Modifications sought by those submitting representations:

Renewable Energy

NatureScot (1266529)

Requests that tackling both climate change and biodiversity loss are reflected throughout the Plan and that specifically within the narrative for Renewable Energy, these important economic opportunities are taken forward alongside the protection of internationally and nationally important natural heritage of the Cromarty and Moray Firths

Port of Cromarty Firth (1178440)

Ensure that the Plan aligns with the ambitions expressed by Opportunity Cromarty Firth (assumed).

Policy 7 – Industrial Land

Antonia Wright (1311246)

No modification sought.

Broadland Properties per John Wright (1312044), Forbes per G&G (1271817), Homes for Scotland (966619), Kirkwood Homes per EMACP (1312500), Springfield Group (1147956)

The 30 units or more threshold is low to qualify as a large development. This should be changed to at least 50 homes, a major development, for consistency.

Springfield Group also seek removal of the Policy but request that if it is retained then there should be an allowance within the policy that puts a maximum timeframe of two years on an area set aside for such uses to come to fruition, otherwise it reverts back to the primary, dominant use on a development site which in most instances is residential.

Inverness College UHI per Montagu Evans (1271524)

Amend the wording of the Policy from “all sites allocated for Industry in this Plan are safeguarded for Classes 4, 5 and 6 uses only” to “all sites allocated for Industry only in this Plan are safeguarded for Classes 4, 5 and 6 only”.

Nairn River CC (1312260)

Expand the Agent of Change principle to all type of development.

NatureScot (1266529)

Amend the wording of Policy 7, specifically the third bullet point, which states ‘does not adversely impact the environment (see general policies in HwLDP)’, to refer to all policies within section 21, ‘Safeguarding Our Environment’ of the HwLDP. Also, request that

clarification is provided within the Plan on what having good levels of accessibility for staff and/or customers is as indicated in the first bullet point.

Network Rail (1312503)

No modification sought.

Port of Inverness per G&S (1220786)

No modification sought.

Rachael Probee (1310748)

No modification sought.

Scottish Government (963027)

Add explicit reference to the Business and Industrial Land Audit and an explanation as to how it has been used to inform the strategic approach to business and industry within the Plan.

Steve North (1263190)

No modification sought.

Summary of responses (including reasons) by planning authority:

Renewable Energy

NatureScot (1266529)

Protecting the environment forms one of four key outcomes which constitute the vision for the region as shown in Table 1 of the Plan. Paragraph 22 also highlights that the Climate and Ecological Emergency is one of the two overarching aims of the Plan, alongside enabling post pandemic economic recovery. This is further set out within the Environment section from paragraph 40. Nevertheless, the point made by NatureScot that greater reference could be given within the Renewable Energy section is reasonable. If the Reporter is so minded, it is suggested that an additional sentence could be added at the end of the first paragraph (#58) along the lines of “To ensure that these economic and regeneration opportunities are delivered alongside the protection of the environment, ongoing engagement will be necessary with key agencies, particularly in relation to safeguarding the integrity of the internationally and nationally important natural heritage of the Cromarty and Moray Firths.” Support for MCAs is noted.

Port of Cromarty Firth (1178440)

The review of the Plan coincided with a resurgence of the national ambitions for the renewable energy industry and on the transformational benefits which it can offer – including significant economic growth, regeneration of our communities, major contribution towards reaching decarbonisation targets and achieving energy security.

Opportunity Cromarty Firth (OCF) is a collaborative consortium of private, public and academic organisations committed to ensuring the Cromarty Firth and wider region becomes a major international hub for green energy. The overall aim of OCF is to maximise the unique economic and regeneration opportunities arising from a £multibillion, 50-year pipeline of offshore wind energy projects planned for the North Sea. It has real potential to reverse long standing socio-economic issues facing the region, in particular depopulation and the declining working age population and below average wage levels. An initial report by Biggar Economics, commissioned by OCF, found that the consortium’s proposals can reasonably be expected to provide a further 25,000 jobs to those already

expected in the windfarm construction phase alone.

The strategic importance of the Cromarty and Moray Firth and its key ports for the renewable energy industry is reinforced by the findings of recent independent reports, such as Scottish Offshore Wind Energy Council's (SOWEC) [Strategic Investment Assessment of the Scottish Offshore Wind industry](#) [**] and [Offshore Renewable Energy Catapult's strategic infrastructure study](#) [**]. It has been shown that the Cromarty Firth in particular is the most suitable location within Scotland to create a global super hub of offshore wind manufacturing. Industry itself has also come out [**] and highlighted that nowhere else in Scotland is capable of fulfilling their needs in terms of available land space, deep waters and quaysides, sheltered anchorage, existing business cluster and proximity to offshore development sites.

This renewed focus on renewable energy and its potential benefits have shaped the Highland indicative Regional Spatial Strategy (iRSS) [**] prepared with partners during 2020 and 2021, and the Vision and Spatial Strategy of the Plan. It has also clearly had a significant influence on national policy, including DRAFT National Planning Framework 4 [**], particularly the strategy, general policies and national developments. Specific reference is made to Opportunity Cromarty Firth (OCF) within NPF4 and the key ports within the Cromarty Firth and support for them to “adapt, unlocking their potential to support the transition from fossil fuels through oil and gas decommissioning, renewable energy and low carbon hydrogen production and storage, and the expansion of supply chain and services. This will in turn benefit communities by providing employment and income for local businesses.” Reference is also made OCF and its project to deliver large scale green hydrogen hubs (‘North of Scotland Hydrogen Programme’) within other national plans, such as the Scottish Government’s [Hydrogen Policy Statement](#) (December 2020) and associated draft [Hydrogen Action Plan](#) (November 2021).

A fundamental part of the OCF project has been its bid for Green Freeport status. Freeports are designated locations which benefit from a range of custom and tax reductions and a range of other incentives to attract investment, be hotbeds for innovation and global trade, and promote regeneration and job creation. As part of their post-Brexit agenda, the UK Government opened the freeport bidding competition in England only during 2020 with eight successful freeport announced in March 2021. With many English freeports having a focus on green energy, many have already attracted major inward investment. OCF and others Green Freeport bidders have highlighted that the delay in introducing the designation in Scotland is putting Scottish ports at a significant disadvantage and risking the opportunities being relocated and even displaced.

The Scottish Government confirmed the competition for Green Freeports with the competition running between March and June 2022. At the time of writing this report, the announcement of successful Green Freeports has not been made. As noted above, the OCF project can have a transformational impact on the region and nationally and the potential for it to be awarded Green Freeport status will only make this more significant and delivered faster.

The Highland Council has been a member of the OCF consortium since its inception in February 2020 and its plans have secured cross-party support from elected Members, with several reports over the last 2 years. The latest was that to the Highland Council Committee which endorsed the content of the Green Freeport bid in June 2022 [\[REPORT\]](#). This report included maps showing the boundaries of each of the tax sites, which are as follows:

1. a cluster of sites in and around Invergordon comprising the Invergordon Service Base (Port of Cromarty Firth), Admiralty Pier, Saltburn Pier, Railway Sidings, and Cromarty Firth Industrial Park;
2. the area including Nigg Energy Park and Pitcalzean Farm; and
3. a cluster of sites in Inverness connecting the Port of Inverness, Longman Former Landfill and the Inverness Campus.

Despite this, and as indicated by the respondent's representation, the Council has not been able to maintain alignment with the content of the Proposed Plan agreed in advance of the OCF Green Freeport bid being finalised and submitted. As part of this work the proposition for the region was further developed and set out the initial details of the most suitable development sites ('tax sites'). Due to the timing at which the Plan review commenced, it has been taken forward under the outgoing legislation. As the transitional arrangements required the Proposed Plan to be published by June 2022, the Council was unable to hold it back until there was greater clarity on the issues.

Taking account of the unique situation as set out in the above response and noting the clear support provided by the Highland Council Committee for the proposals set out by Opportunity Cromarty Firth, the Council is minded to recommend to the Reporter that the OCF proposition is supported in the Plan. As set out in Issue 33: Invergordon, Issue 36: Central Inverness (& City-wide) and Issue 52: Economic Development Areas, this includes the key allocations being amended to reflect that of the Green Freeport bid [**] and including any necessary mitigation arising from further consideration of potential adverse environmental and other effects.

However, given the significance of this decision for both the region and nationally, the Council would also welcome the opportunity to engage with the Reporter during the Examination process, by which time the announcement is expected to have been made and greater clarity available on the implications. At the time of preparing the Committee Reports for approval for submission of the Plan to Examination, the announcement has not been made on successful Green Freeport bids. Even with the information available at present, several important components of the Plan, including the Renewable Energy section and certain Main Settlements and Economic Development Areas, would benefit from being updated. With clarity on the outcome of Green Freeports in Scotland expected imminently it will likely need further updating in the near future. Further engagement with the Reporter will allow the Council to properly respond to comments as even as we present this to Reporter, certainty cannot be given on the issues raised.

Policy 7 – Industrial Land

Antonia Wright (1311246)

Noted.

Broadland Properties per John Wright (1312044), Forbes per G&G (1271817), Homes for Scotland (966619), Kirkwood Homes per EMACP (1312500), Springfield Group (1147956)

As set out in the Employment section of the Plan (see pages 50-57), within the industrial property market the supply of premises and land is constrained but demand remains high. A report on the Market Failures in the Commercial Property Market [**] found that without investment, this poses a major risk to the area's future competitiveness and could restrict economic growth. Whilst work is currently underway to redevelop part of the former Longman landfill site for business and industrial uses, this alone will not meet all future needs.

Based on discussions held with property experts, there also appears to be strong demand for, yet significant under investment in, small scale industrial units which serve local businesses and communities. These units form an important part of the commercial property market providing incubator and start up opportunities. Opportunities to acquire land and investment in opening them up for industrial uses in or around Inverness will in part be needed to reverse recent trends and address the demand. It was apparent from discussions with property experts that if land is made available then there is greater scope for new models to develop and manage these properties, such as a community trust taking ownership. Small scale commercial buy-to-let is also increasingly attractive to investors as they can offer a good rate of return, particularly as residential buy-to-let has seen many regulatory and tax changes recently.

To address this imbalance in the supply and demand for industrial land, the Plan introduces a new Industrial Land Policy which aims to better protect the current supply of industrial sites (including the industrial allocations which are set out in the Plan) and to encourage new sites to come forward. Based on feedback received during the Main Issues Report and further discussion with property experts, it was apparent that setting a specific requirement for a proportion of land to be made available for industrial uses in larger development sites was overly prescriptive, but that there was merit a generally supportive policy position. As such, and as noted by respondents, the policy only encourages small scale industrial units to be delivered within suitable “large residential developments (30 units or more)” with the aim of providing mixed communities with local employment/enterprise opportunities. It goes on to highlight that this “support is dependent on the applicant demonstrating that there is no adverse impact on the proposed or existing residents of the area and the transport network and suitable waste management arrangements can be established. Siting and design and landscaping will likely be important mitigation measures for addressing potential amenity impacts.” With development sites and landowner boundaries coming in all shapes, sizes and with varying features, some will lend themselves to creating a small cluster of industrial units. Clearly, there are many sites which cannot suitably accommodate industrial uses alongside housing and these would not be supported. However, the policy aims to highlight that in certain places, where physical constraints such as the site boundary, topography, mature woodland, access and other constraints such as overhead lines, the delivery of discrete clusters of small industrial units would be acceptable and that it offers the chance to address wider community needs than simply housing. However, noting the issues raised here, to provide greater consistency and avoid any confusion, if the Reporter is so minded, then the Council would support the specified threshold of 30 units or more being amended to simply “major developments (50+ housing units or 2ha+)”. This would continue to allow for development of less than 50 units that cover 2ha or more. The word ‘suitable’ could also be added so it reads “suitable major developments...”.

In relation to one respondent’s request for a 2 year timeframe to be added, it is not considered necessary since the policy wording is to *encourage* such uses to be delivered rather than as a *requirement*. The phasing of delivery and any proposals to development the industrial component after a certain time if undeveloped should be considered at masterplanning and planning application stages. Accordingly, the Council believes the Plan’s content should remain unaltered in respect of this issue.

Inverness College UHI per Montagu Evans (1271524)
Support for the policy is noted.

It is recognised that there may be some potential for the wording to be interpreted as

restricting mixed use development for Class 4, 5 and 6. If the Reporter is so minded, then the Council would support the wording being changed to “all sites allocated for Industry only in this Plan are safeguarded exclusively for Classes 4, 5 and 6”.

Nairn River CC (1312260)

The agent of change principle is not restricted only to industrial development. As Draft NPF4 define the agent of change principle it covers all existing developments:

“Where an application is made for a residential development which is likely to be affected by noise from existing development such as, but not limited to, music venues, manufacturing or industrial sites, large retail outlets, etc, the applicant is required to demonstrate that they have assessed the potential impact on residents of the proposed residential development and that the proposed design incorporates appropriate measures to mitigate this impact.”

It is highlighted in relation to Policy 7 as the conflict between new residential development and existing industrial uses is likely to be one of the common issues relating to the agent of change principle in the Inner Moray Firth area. Accordingly, the Council believes the Plan’s content should remain unaltered in respect of this issue.

NatureScot (1266529)

Rather than providing direction to specific HwLDP policies as requested by NatureScot, it is considered that, if the Reporter is so minded, the sentence which precedes the bullet point list could be amended to read (the emboldened section shows suggested additional/amended text and the strikethrough shows suggested text to be removed):

“Proposals for new industrial development on land not allocated in this plan, including land outwith settlement development areas, will be supported if it can be demonstrated that it is a sustainable location **and accords with relevant policies set out in the development plan. Key policy issues will be whether the site:**

- has good levels of accessibility for staff and/or customers;
- does not adversely impact the amenity of neighbouring properties; and
- does not adversely impact the environment (~~see general policies in HwLDP~~).

This takes cognisance of the wider policy framework including the fact that NPF4 will shortly become part of the development plan, and that the Council intends to review HwLDP in the near future.

Also, in relation to the request that clarification is provided on first bullet point, i.e. “good levels of accessibility for staff and/or customers”, it is acknowledged that this could be interpreted in different ways. Therefore, to clarify the point and better align it with the Transport policy in the Plan which defines sustainable transport, if the Reporter is so minded, then the Council would support the sentence being changed to “has strong potential for sustainable transport for staff/customers”.

Network Rail (1312503)

Support for the Plan position noted.

Port of Inverness per G&S (1220786)

Points raised by the respondent are noted.

Rachael Probee (1310748)

The aim of the policy is to help safeguard existing *industrial* land and provide a positive framework for new sites coming forward. It is therefore not expected to result in the

creation of unnecessary office space.

Scottish Government (963027)

The Council undertook a Business and Industrial Land Audit (BILA) in 2018 and it provides a strategic overview of the supply and availability of land allocated for use classes 4, 5 and 6. The audit was taken into account during the preparation of the MIR and informed the strategic approach, policy framework and site allocations. It also backed up the findings of the Market Failures in the Commercial Property Market report [**] and feedback received from property experts as part of discussions held during the initial stages of the plan preparation. For example, the BILA clearly shows a lack of industrial land within the Inverness region with many of the larger allocations found to have major constraints. The Council is currently carrying out a more comprehensive audit and assessment of business and industrial land across the region. This work covers the supply and availability of allocated Business and Industry land and identifies the status of all other existing sites used for classes 4, 5 and 6. The data gathering has largely been completed and it is anticipated that the final report will be available for the start of the Examination process. Comments relating to renewable energy have been addressed in Issue 2: Spatial Strategy.

Steve North (1263190)

Support noted.

Reporter's conclusions:

Reporter's recommendations:

Issue 13	GP9: Delivering Development and Infrastructure	
Development plan reference:	Section 3 General Policies, PDF Pages 62-64	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Aird Community Trust (1311972) Alistair Noble (966948) Antonia Wright (1311246) Broadland Properties per John Wright (1312043) Forbes per Grant & Geoghegan (1271817) Glenurquhart Rural Community Association (1220765) Homes for Scotland (966619) Joan Noble (931076) Kirkwood Homes per EMAC Planning (1270584) Laura Keel (1312275) Mark Gunn (1312546) Ministry of Defence (1270246) Nairn River Community Council (1312260) Nairn West & Suburban Community Council (1323971) Network Rail (1312503) Rachael Probee (1310748) SEPA (906306) Springfield Homes (1147956) SSEN (1311702)</p>		
Provision of the development plan to which the issue relates:	General Policy 9, PDF Paragraphs 72-73	
Planning authority's summary of the representation(s):		
<p><u>Aird Community Trust (1311972)</u> Supports but developer contributions must be allocated transparently and locally to offset the impact of development. Wants local active travel infrastructure to benefit from these contributions.</p> <p><u>Alistair Noble (966948)</u> Writes on behalf of 9 Inner Moray Firth community councils who all object to the Council's current allocation of community facility developer contributions. Asserts that this practice does not follow the Council's own supplementary guidance: 'In order to respond to emerging alternative community facility projects contributions will not normally be tied to the delivery of any given project.' (Para 3.7 p17). Alleges that without any formal appraisal, needs assessment, project budgeting, community consultation or study of alternatives, High Life Highland (HLH) has been allocated a possible £12 million of developer contributions. These are to be spent on centralised HLH facilities in larger communities and HLH is an organisation connected to the Council. Claims that HLH are the only party consulted on the best use of the funding and suggested that all the money</p>		

should be paid to themselves. States that community councils were unaware about the Plan's Delivery Programme allocating all contributions to centralised HLH facilities. Claims that community councils have not been consulted about the proposed spending of community developer contributions raised on current or future housing in their communities. Several had assumed that they would get the funding for new or upgraded facilities for their new residents and had alternative ideas for the funding. Centralised HLH facilities are often inaccessible to the communities concerned – for example the journey from Contin to Dingwall. Also concerned that the wrong HLH facilities are being invested in.

Antonia Wright (1311246)

Objects (no reasons stated).

Broadland Properties per John Wright (1312043)

Seeks a higher development size (12 or more housing units) threshold and a policy that will be clearer and less onerous for the development industry because: the costs and delay of negotiating legal agreements for smaller developments will be disproportionate to their profit margins/viability; the housebuilding sector is still recovering from the downturn associated with the pandemic; developers don't know about infrastructure investment and capacity so can't be expected to produce a Delivery Plan; and, uncertainty about likely developer contribution levels will discourage investment. Also believes the 2018 Developer Contributions Supplementary Guidance will cease to be part of the development plan upon adoption of the Plan and therefore seeks an explanation whether it will be replaced or updated. States that the final paragraph unnecessarily duplicates Policy 8 by referring back to it and Appendix 4. This policy and other general policies will have a cumulative adverse effect on viability.

Forbes per Grant & Geoghegan (1271817)

Seeks greater clarity on type and level of developer contributions to give development industry greater certainty in making commercial investment decisions.

Glenurquhart Rural Community Association (1220765)

The Council should consider the cumulative impact on a community of lots of small and single unit developments which alone do not put strain on the infrastructure but collectively do.

Homes for Scotland (966619)

Seeks a higher development size (12 or more housing units) threshold and a policy that will be clearer and less onerous for the development industry because: the costs and delay of negotiating legal agreements for smaller developments will be disproportionate to their profit margins/viability; the housebuilding sector is still recovering from the downturn associated with the pandemic; developers don't know about infrastructure investment and capacity so can't be expected to produce a Delivery Plan; and, uncertainty about likely developer contribution levels will discourage investment. Also believes the 2018 Developer Contributions Supplementary Guidance will cease to be part of the development plan upon adoption of the Plan and therefore seeks an explanation whether it will be replaced or updated. States that the final paragraph unnecessarily duplicates Policy 8 by referring back to it and Appendix 4. This policy and other general policies will have a cumulative adverse effect on viability.

Joan Noble (931076)

Believes that the proposal to allocate all leisure and recreation developer contributions

from housing across Nairnshire to High Life Highland's 'Dance Studio' at the Nairn Leisure Centre is undemocratic and unacceptable because: there has been no needs assessment or consultation and it is contrary to Council policy, which states that community developer contributions will not normally be allocated to one specific project; Nairn has many other community facilities in need of enhancement and already has good facilities for dance; and, local communities should set their own priorities as done within the Moray Council area.

Kirkwood Homes per EMAC Planning (1270584)

Seeks a higher development size (12 or more housing units) threshold and a policy that will be clearer and less onerous for the development industry because: the costs and delay of negotiating legal agreements for smaller developments will be disproportionate to their profit margins/viability; the housebuilding sector is still recovering from the downturn associated with the pandemic; developers don't know about infrastructure investment and capacity so can't be expected to produce a Delivery Plan; and, uncertainty about likely developer contribution levels will discourage investment. Also believes the 2018 Developer Contributions Supplementary Guidance will cease to be part of the development plan upon adoption of the Plan and therefore seeks an explanation whether it will be replaced or updated. States that the final paragraph unnecessarily duplicates Policy 8 by referring back to it and Appendix 4. This policy and other general policies will have a cumulative adverse effect on viability.

Laura Keel (1312275)

Supports but should go further and stipulate that schools must be built and paid for by developers who are proposing larger developments that will significantly increase the local school population – e.g. at Ness Castle and Milton of Leys. Recent Inverness suburban development has had no community feel or facilities.

Mark Gunn (1312546)

Objects to current Council approach to seeking developer contributions. Believes Council has failed to set, gain and then use Developer Contributions properly. Cites water and sewerage provision and primary school provision in Nairn as examples. All infrastructure should be resolved before permissions are granted. There should be retrospective claw-back of contributions not collected to date.

Ministry of Defence (1270246)

Welcomes the inclusion of a 'financial viability' exemption where the cumulative effect of the Plan's general policies could threaten the deliverability of sites, especially in cases such as Fort George. Therefore, supports the submission of an open book viability assessment, as part of a planning application to justify any deviation from the policy requirement.

Nairn River Community Council (1312260)

Objects because the Plan's related Delivery Programme doesn't list all the infrastructure necessary to support new development in Nairn. Developers should be asked to fund water, sewerage, flood protection, district heating networks, an A96 bypass, other roads, healthcare, and social care provision. The deficiencies in all this provision should be assessed, listed, quantified and costed by the Council. Money collected for community facilities and biodiversity should be locally ringfenced and allocated according to the wishes of the local community. The Plan should also test each planning application against accurate and up to date infrastructure audits which should be subject to local community endorsement. The Delivery Programme should mesh with other agencies

investment programmes and the Council's capital programme for adjoining areas (e.g. high school provision). Seeks clarification whether the existing Developer Contributions Supplementary Guidance will fall with the adoption of the Plan. Queries whether this policy complies with draft NPF4 policies.

Nairn West & Suburban Community Council (1323971)

Believes that the proposal to allocate all leisure and recreation developer contributions from housing across Nairnshire to High Life Highland's 'Dance Studio' at the Nairn Leisure Centre is unacceptable because: there has been no needs assessment or consultation and it is contrary to Council policy, which states that community developer contributions will not normally be allocated to one specific project; Nairn has many other community facilities in need of enhancement and already has good facilities for dance; and, local communities should set their own priorities as done within the Moray Council area.

Network Rail (1312503)

Supports the proposed assessment of each development proposal in terms of its impact on each relevant infrastructure network and the specific inclusion of rail within the definition of infrastructure.

Rachael Probee (1310748)

Queries what "adequate capacity" means. Concerned that this will end up being detrimental to communities because a development will just scrape through in infrastructure capacity terms.

SEPA (906306)

Supports (no reasons stated).

Springfield Homes (1147956)

As per Homes for Scotland response. Seeks a lower development size (less than 12 housing units) threshold and a policy that will be clearer and less onerous for the development industry because: the costs and delay of negotiating legal agreements for smaller developments will be disproportionate to their profit margins/viability; the housebuilding sector is still recovering from the downturn associated with the pandemic; developers don't know about infrastructure investment and capacity so can't be expected to produce a Delivery Plan; and, uncertainty about likely developer contribution levels will discourage investment. Also believes the 2018 Developer Contributions Supplementary Guidance will cease to be part of the development plan upon adoption of the Plan and therefore seeks an explanation whether it will be replaced or updated. States that the final paragraph unnecessarily duplicates Policy 8 by referring back to it and Appendix 4. This policy and other general policies will have a cumulative adverse effect on viability.

SSEN (1311702)

Requests that electricity transmission infrastructure is also included within the definition of the 'infrastructure network' because: SSEN plays an important part in the future growth of the region; the transmission network is referenced as a 'National Development'; developers should ensure that there is sufficient transmission network capacity for the developments proposed in the Plan; and this policy addition would/should trigger an SSEN consultation on larger developments that may affect the transmission network.

Modifications sought by those submitting representations:

Aird Community Trust (1311972)

Plan and related Delivery Programme amendments to better target developer contributions towards local active travel infrastructure (assumed).

Alistair Noble (966948)

Plan and related Delivery Programme amendments to ensure community facility developer contributions are ringfenced more locally and that local communities have a larger say in their allocation (assumed).

Antonia Wright (1311246)

Unclear.

Broadland Properties per John Wright (1312043)

A higher development size (12 or more housing units) threshold, a Council specified list of required infrastructure investment, capacity and necessary developer contributions, and deletion of the final paragraph of the policy (all assumed).

Forbes per Grant & Geoghegan (1271817)

A clearer policy specifying required developer contributions (assumed).

Glenurquhart Rural Community Association (1220765)

Additional policy wording on how the cumulative impact of smaller developments on infrastructure facility networks will be dealt with (assumed).

Homes for Scotland (966619)

A higher development size (12 or more housing units) threshold, a Council specified list of required infrastructure investment, capacity and necessary developer contributions, and deletion of the final paragraph of the policy (all assumed).

Joan Noble (931076)

Plan and related Delivery Programme amendments to ensure community facility developer contributions are ringfenced more locally and that local communities determine their allocation (assumed).

Kirkwood Homes per EMAC Planning (1270584)

A higher development size (12 or more housing units) threshold, a Council specified list of required infrastructure investment, capacity and necessary developer contributions, and deletion of the final paragraph of the policy (all assumed).

Laura Keel (1312275)

Addition of a policy requirement for developer funded and built new schools where major new housing development is proposed (assumed).

Mark Gunn (1312546)

Addition of a developer contributions policy based on an element of profit clawback applied, on top of a core contribution requirement. Also a mechanism, potentially via developer-purchased insurance bonds, that ensures that any post-completion issues emerging over 20 years can be addressed at no cost to the local community.

Ministry of Defence (1270246)

None (assumed).

Nairn River Community Council (1312260)

Additions to the Plan and its related Delivery Programme to list all the infrastructure necessary to support new development in Nairn and to make clear that developers should fund water, sewerage, flood protection, district heating networks, an A96 bypass, other roads, healthcare, and social care provision. All infrastructure deficiencies assessed, listed, quantified and costed by the Council. Money collected for community facilities and biodiversity locally ringfenced and allocated according to the wishes of the local community (all assumed).

Nairn West & Suburban Community Council (1323971)

Plan and related Delivery Programme amendments to ensure community facility developer contributions are ringfenced more locally and that local communities determine their allocation (assumed).

Network Rail (1312503)

None (assumed).

Rachael Probee (1310748)

Addition of clarification of what “adequate capacity” means.

SEPA (906306)

None (assumed).

Springfield Homes (1147956)

As per Homes for Scotland response. A higher development size (12 or more housing units) threshold, a Council specified list of required infrastructure investment, capacity and necessary developer contributions, and deletion of the final paragraph of the policy (all assumed).

SSEN (1311702)

Addition of electricity transmission infrastructure within the definition of the ‘infrastructure network’ and this policy used as a trigger for an SSEN consultation on larger developments that may affect the transmission network.

Summary of responses (including reasons) by planning authority:

Aird Community Trust (1311972)

Noted. The Council is working towards a more transparent allocation of developer contributions but some information can still be commercially confidential. It is now normal Council practice for planning application committee reports to include the likely split and amounts of contributions for larger proposals and for the related legal agreements once registered to be publicly available via the Council’s website. The Council’s Developer Contributions Supplementary Guidance (DCSG) November 2018 [*] sets out what the Council seeks monies for and, where known and justified, standard amounts per unit of development. The Council’s Delivery Programme [*] provides further detail of particular projects and contributions. However, there is considerable debate on the geographic ringfencing and use of developer contributions once they are secured. The DCSG and other approved Council Development Briefs set out different ringfencing catchments for each type of contribution. For example, cumulative development transport contributions are normally sought and limited to use within a local part of the transport network. Education contributions are normally sought and used within the catchment of the particular secondary, primary or nursery school that has the existing or projected capacity issue. Affordable housing, commuted (in lieu of on-site provision) payment contributions

are used within the relevant Housing Market Area. Community facility contributions are ringfenced to the relevant High School catchment boundary. The Council accepts the principle that on-site or as local as possible ringfencing should be pursued. Indeed, direct developer funded provision rather than taking any contributions is the most efficient mechanism for delivery. However, there are circumstances where very local ringfencing is inappropriate or impracticable. For example, the reason why community facility contributions are ringfenced to the comparatively wide High School catchment boundary is that there isn't always a current and relevant community facility project within every village that can use contributions. Also, developers are rightly concerned that contributions are used to mitigate an impact of their development which normally means offsetting a quantitative, capacity deficiency within the catchment. Community groups often request funding for qualitative improvements such as painting the village hall or replacing degraded but still useable assets. Similarly, the community group may not have, or any likely prospect of raising, the balance funding to deliver the facility. Very local (to each small settlement) ring fencing will collect small amounts of money over long time periods. The Council's approach yields a larger, more useable sum and sooner. The approach can create competition between "rival" community facility proposals within the same catchment but the Council intends to review its allocation process with the aim of making it more inclusive and transparent. The DCSG does specify the need for developer contributions towards active travel network improvements and the Plan's Transport Strategy and transport general policy go further in defining what and where these should be.

Alistair Noble (966948)

See response to Aird Community Trust above. The Council's Delivery Programme makes particular reference to High Life Highland (HLH) because they are a financial delivery partner in many community facility proposals. HLH control and operate many of the existing community facilities within the Plan area and have a sizeable and future programmed budget to provide balance funding for the expansion of these facilities. HLH facility improvements are also designed and costed. The Council's Delivery Programme is a public document, views are invited on it and it is therefore transparent. Notwithstanding the above, the Council does accept that some HLH facilities can be distant from potential users within a High School catchment. The Council is committed to a review of its current approach to make the "bidding" process more inclusive and transparent albeit subject to the same practicality and defensibility issues outlined in the response to the Aird Community Trust above.

Antonia Wright (1311246)

Noted.

Broadland Properties per John Wright (1312043)

The proposed Policy 9 wording does not increase the amount of any developer contribution required nor does it change the development size thresholds specified within the Council's DCSG, which forms part of the approved development plan for the Plan area. Instead, the purpose of the policy is to direct developers to published policy and guidance on the infrastructure the Council believes is needed to accommodate the development proposed within the Plan. Also, Policy 9, in its final sentence, introduces an explicit policy test to allow the Council to conclude that a planning application does not accord with this policy of the Plan if there is inadequate existing or likely future capacity in the relevant infrastructure and/or community facility networks. It does put the onus on the developer to evidence adequate capacity. The Council believes this is reasonable because it publishes or offers advice on capacities for matters within its control such as school roll forecasts within its Delivery Programme. Scottish Government, through its draft

NPF4 is promoting the principle of Infrastructure First and although this is a nebulous concept, the Council believes that developers, particularly where they are promoting sites outwith current allocations or settlement boundaries, should be required to demonstrate adequate capacity. Policy 9 may impact the viability of sites to the private sector but an unfettered approach has adversely affected the viability to the public purse of recent development sites and will continue to do so unless a new approach is taken. Direct developer provision of infrastructure improvements is the optimum way of avoiding the costs and delays of negotiating and agreeing legal agreements but where necessary these can be standardised and most amounts are already specified within the approved DCSG. Recent Plan area house completions [*] are similar to pre-pandemic levels and close to the peak year of 2007 so there is no special case to be made in terms of viability. The DCSG won't cease to be part of the approved development plan on adoption of the Plan. It is founded upon Policy 31 of the HwLDP which will be repealed and replaced by a forthcoming "new-style" local development plan that will cover all of Highland (outwith the Cairngorms National Park area). This will extend the lifespan of the "foundation" policy to 2027 rather than 2024. The second sentence of the final paragraph of Policy 9 duplicates Policy 8 but in doing so offers a useful, brief cross reference. The Council is mindful of the cumulative impact of its development plan policies on viability and the DCSG offers the prospect of exemptions from or reductions to contributions if an independently vetted Viability Assessment demonstrates that an allocated or otherwise Plan supported development site is unlikely to proceed. Accordingly, the Council believes the Plan's content should remain unaltered in respect of this representation.

Forbes per Grant & Geoghegan (1271817)

See response to Broadland Properties above. The DCSG and annually updated Delivery Programme offer as much certainty on the type and level of developer contributions as the Council's knowledge and resources allow. The Council also offers advice tailored to a particular site and proposal at pre-application stage. This advice is chargeable but can be offered early enough to inform land option/acquisition decisions.

Glenurquhart Rural Community Association (1220765)

The development size thresholds at which developer contributions start to be sought are defined within the DCSG. Policy 9 does not propose any change to these thresholds. Education and transport contributions can be sought for developments of three residential units or less. However, the Council does recognise the cumulative impact of piecemeal development particularly in the countryside around main settlements. The Plan's Hinterland boundary and wider spatial strategy seek to curtail this type of development and therefore its impact. Seeking additional developer contributions from very small developments is less cost effective in terms of administration and time, more difficult to justify in terms of direct and demonstrable adverse impact and can have a disproportionate impact of viability.

Homes for Scotland (966619)

See response to Broadland Properties above.

Joan Noble (931076)

See responses to Aird Community Trust and to Alistair Noble above. The second sentence of paragraph 3.6 of the DCSG does provide flexibility as to which project can benefit from community facility developer contributions. However, the Delivery Programme is the best vehicle for suggesting, vetting and publishing a decision on which projects are to be supported. The respondent implies that the local community should vet projects and decide on the allocation of monies. This would raise the same pitfalls as referenced

above; i.e., no conflict resolution mechanism, the risk of monies not being assigned to projects that offset direct development impacts, and monies being assigned to projects without sufficient balance funding. The Delivery Programme process allows communities to suggest their own projects but the vetting and allocation of monies to potential community facility projects should be done in a way that avoids these pitfalls.

Kirkwood Homes per EMAC Planning (1270584)

See response to Broadland Properties above.

Laura Keel (1312275)

The Council agrees and Policy 9 suggests that a development should offset, in a timely manner, all not just part of its adverse infrastructure/community facility network impact. Currently, Highland Council and many other local planning authorities approve a planning application so long as developer contributions are secured to offset the proportionate impact of that particular development. For example, education developer contributions are secured regardless of whether they are sufficient to deliver the additional school capacity required in a timely manner. Often the balance funding required to deliver the additional school capacity is dependent upon the amount and timing of other private monies from other development sites within the catchment, and from the council's capital programme. This approach has led to a time lag between the completion and occupation of new houses and the delivery of additional school capacity. This leads to short and even medium term overcrowding within schools. For example, identifying sufficient finance for and delivering a new build secondary school for Inverness will take 5-10 years. Policy 9 proposes an explicit, infrastructure policy-based reason for refusal of a planning application if the Council believes it necessary in any given case. In the main settlement Schedule 4s some developer respondents do suggest that they would be prepared to offer more than the standard DCSG defined education contributions but without firm commitment to do so. For example, both Tulloch at Welltown of Leys and Kirkwood at Faiways offer (gifted) land for a school site and contributions. New schools, where provided, have become community hubs for the more peripheral City neighbourhoods.

Mark Gunn (1312546)

See responses to Broadland Properties, Laura Keel and Nobles above. Policy 9 does not propose any change to the amount and development size threshold in seeking any of the developer contributions listed within the existing approved development plan (DCSG and Policy 31 of the HwLDP). This sets Highland-wide (and HwLDP "parent" policy based) guidance on the subject of developer contributions and it would therefore be inappropriate to review these matters just for the Inner Moray Firth area. Policy 9 does goes further than the approved development plan in suggesting a broadening of the infrastructure and community facility networks that may attract contributions but this change is already trailed in section 9 of the DCSG and the table that accompanies Policy 31 of the HwLDP. The split of funding for upgraded water and sewerage infrastructure is a matter for negotiation between Scottish Water and developers. Forward funding and delivery of all relevant infrastructure and community facility network improvements prior to any planning application being granted permission is impracticable and would make almost all development unviable. Many networks have existing deficiencies that are simply made worse by new development. Asking an applicant to pay for and wait until delivery of all network improvements in any given settlement would be unreasonable. Similarly, retrospectively identified developer contributions are unreasonable if not highlighted in some way when the original planning permission is granted. Most contributions are indexed to allow for inflation and some legal agreements do allow for a further uplift in payments if certain circumstances are fulfilled but these matters must be listed and agreed

at the outset.

Ministry of Defence (1270246)

Noted. See Broadland Properties response above regarding the role of a Viability Assessment.

Nairn River Community Council (1312260)

See responses to Aird Community Trust, Broadland Properties and the Nobles above. Footnotes 15 and 16 to Policy 9 allow assessment of and consideration of contributions towards a broader range of networks than is current Council practice. The Council agrees that a definitive, regularly updated, all networks capacity assessment and the seamless spatial and temporal coordination of the capital programmes of all major funding agencies should be the goal. The Council has pioneered this coordination role through local place planning initiatives such as Fort William 2040. However, it is very staff resource intensive and depends upon the buy-in of other funding agencies. The prevarication of Transport Scotland in dialogue over, and commitment, to the Nairn bypass is a good example of the challenges to such an approach.

Nairn West & Suburban Community Council (1323971)

See response to Joan Noble above.

Network Rail (1312503)

Support noted.

Rachael Probee (1310748)

There is no accepted definition of “adequate” but generally the Council take the advice of the agency responsible for the safe operation of that network. For example, sewage and water treatment works have population equivalent design capacities that Scottish Water provide advice on. Schools have published rolls and building capacities. However, some networks such as transport required far more detailed and proposal-specific assessment to determine adequacy. Also, some networks have very uncertain capacities because they don't have defined catchments. This applies to health and dental facilities. In some cases, the need for improvement will be defined in relation to a site-specific accident record (e.g. rail level crossings and road junctions) as well as the physical characteristics of the network. The respondent is correct to assume that all publicly funded agencies will maximise the capacity of a network asset before making a decision to invest in its expansion. Currently, with likely continued public expenditure constraints, there is very little future-proofing of new asset capacity; e.g., new build schools have little or no built in future capacity. A common, sensible compromise is a modular solution where the new asset has pre-planned expansion extensions within the site boundary; e.g, additional school building wings or additional sewage work settlement tanks.

SEPA (906306)

Noted.

Springfield Homes (1147956)

See response to Broadland Properties above.

SSEN (1311702)

Policy 9 is about network capacity not about development setback from infrastructure networks for health, safety or other operational reasons. Policy 30 Physical Constraints of the HwLDP and its related Supplementary Guidance provides adequate general policy

coverage on this issue. The high voltage electricity transmission network is a mapped constraint within the Council's development management software system and triggers a consultation with SSEN on individual applications in close proximity to that network. As with Scottish Water networks, the cost of an electricity distribution network capacity enhancement is a matter for direct discussion and agreement between a developer and SSEN. Also, SSEN Distribution has been reluctant to share local network capacity information with the Council. Therefore, it would be impracticable and unnecessary to add electricity transmission infrastructure to the list of networks.

Reporter's conclusions:

Reporter's recommendations:

Issue 14	GP10: Increasing Affordable Housing	
Development plan reference:	Section 3 General Policies, PDF Pages 64-67	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Antonia Wright (1311246) Broadland Properties per John Wright (1312043) Donald Begg (1312031) Forbes per Grant & Goeghegan (G&G) (1271817) Homes for Scotland (966619) Kirkwood Homes per EMAC Planning (1270584) Ministry of Defence (1270246) Nairn River Community Council (1312260) Rachael Probee (1310748) Robertson Homes per BWP (1266646) Springfield Homes (1147956)</p>		
Provision of the development plan to which the issue relates:	General Policy 9, PDF Paragraphs 74-77	
Planning authority's summary of the representation(s):		
<p><u>Antonia Wright (1311246)</u> Objects (no reasons stated).</p> <p><u>Broadland Properties per John Wright (1312043)</u> Disputes the Plan assertion that the local housing market is relatively closed and that housebuilders have a financial self interest in rationing the supply of new properties to keep prices high. There is no evidence of this. A 25% quota should be retained because: it is a figure understood across Scotland and endorsed by national guidance; it provides certainty for investors; it reduces the transaction costs which would be associated with negotiating contributions on a site-by-site basis if a higher, unviable target was set; a higher figure will lead to fewer sites coming forward and therefore fewer affordable units especially in Inverness where delivery of affordable units relies upon 25% of private led sites; the Plan's housing requirements are already supporting fewer sites; no viability assessment of the effect of the quota increase has been produced; and policy making should be evidence based.</p> <p><u>Donald Begg (1312031)</u> This issue needs national political intervention not a change in planning policy. Unemployment is at a record low, employers cannot find employees and yet the need for social housing is at a record high.</p> <p><u>Forbes per G&G (1271817)</u> Suggests retention of 25% threshold because: it is prescribed in Scottish Planning Policy; identifying more housing land will better deliver more affordable units; and, a higher</p>		

threshold will make sites unviable.

Glenurquhart Rural Community Association (1220765)

Believes “affordable housing” should be better assessed and defined. Units should be of a tenure, price and size better matched to the housing needs of the community where they are built.

Homes for Scotland (966619)

Disputes the Plan assertion that the local housing market is relatively closed and that housebuilders have a financial self interest in rationing the supply of new properties to keep prices high. There is no evidence of this. A 25% quota should be retained because: it is a figure understood across Scotland and endorsed by national guidance; it provides certainty for investors; it reduces the transaction costs which would be associated with negotiating contributions on a site-by-site basis if a higher, unviable target was set; a higher figure will lead to fewer sites coming forward and therefore fewer affordable units especially in Inverness where delivery of affordable units relies upon 25% of private led sites; the Plan’s housing requirements are already supporting fewer sites; no viability assessment of the effect of the quota increase has been produced; and policy making should be evidence based.

Kirkwood Homes per EMAC Planning (1270584)

Disputes the Plan assertion that the local housing market is relatively closed and that housebuilders have a financial self interest in rationing the supply of new properties to keep prices high. There is no evidence of this. A 25% quota should be retained because: it is a figure understood across Scotland and endorsed by national guidance; it provides certainty for investors; it reduces the transaction costs which would be associated with negotiating contributions on a site-by-site basis if a higher, unviable target was set; a higher figure will lead to fewer sites coming forward and therefore fewer affordable units especially in Inverness where delivery of affordable units relies upon 25% of private led sites; the Plan’s housing requirements are already supporting fewer sites; no viability assessment of the effect of the quota increase has been produced; and policy making should be evidence based.

Ministry of Defence (1270246)

Welcomes the inclusion of a ‘financial viability’ exemption where the cumulative effect of the Plan’s general policies could threaten the deliverability of sites, especially in cases such as Fort George. Therefore, supports the submission of an open book viability assessment, as part of a planning application to justify any deviation from the policy requirement.

Nairn River Community Council (1312260)

Seeks a policy that will better match new affordable housing provision to local applicants – e.g. one bed properties in Nairn. Objects to commuted payment exception because this places a burden on other locations to accept more affordable housing. Developers should be forced to build affordable units on brownfield not cheaper to develop greenfield sites. If commuted payments are accepted then the contribution should be higher and locally ringfenced so the local community decide where, when, what type (retrofit) or new, size etc. can be used to create more affordable housing in the local area.

Rachael Probee (1310748)

Disputes whether houses provided by policy are truly affordable and of high quality.

Robertson Homes per BWP (1266646)

Objects to 35% quota because: this is the rate specified in the adopted LDP and Scottish Planning Policy (SPP); larger sites in Inverness have a long investment, financial appraisal and build out period and therefore it is unreasonable to change planning policy and developer contributions circumstances during that period; the change may undermine the viability of masterplanned City expansion areas such as Westercraigs and prevent the completion of such communities; a national % is better understood and accepted; allocating more land and applying 25% will better achieve the aim of delivering more affordable housing; the public sector may not be able to provide the necessary subsidy to provide the extra affordable units or grant aid will be taken from other parts of Highland; all the Plan's general policies combined will threaten the viability of sites or lead to increased prices and therefore lower overall affordability; and, uncertainty about public subsidy may delay schemes and this too will impact on viability.

Springfield Homes (1147956)

Aligns with comments of Homes for Scotland on this issue. Objects to any increase from the nationally accepted 25% quota.

Modifications sought by those submitting representations:

Antonia Wright (1311246)

Unclear.

Broadland Properties per John Wright (1312043)

Deletion of Plan assertion that the local housing market is relatively closed and that housebuilders have a financial self interest in rationing the supply of new properties to keep prices high. Retention of a 25% quota for affordable housing.

Donald Begg (1312031)

Unclear.

Forbes per G&G (1271817)

Amendment to retain 25% quota.

Glenurquhart Rural Community Association (1220765)

Addition of a better Plan definition of "affordable housing". Units within Drumnadrochit of a tenure, price and size better matched to the housing needs of that community (both assumed).

Homes for Scotland (966619)

Deletion of Plan assertion that the local housing market is relatively closed and that housebuilders have a financial self interest in rationing the supply of new properties to keep prices high. Amendment to retain 25% quota.

Kirkwood Homes per EMAC Planning (1270584)

Deletion of Plan assertion that the local housing market is relatively closed and that housebuilders have a financial self interest in rationing the supply of new properties to keep prices high. Amendment to retain 25% quota.

Ministry of Defence (1270246)

None (assumed).

Nairn River Community Council (1312260)

Policy amendments to: better match new affordable housing provision to local applicants; force developers to build affordable units on brownfield not greenfield sites; and, increase commuted payments with local ringfencing and local decision making on use of monies (all assumed).

Rachael Probee (1310748)

A policy that will deliver houses that are truly affordable and of high quality (assumed).

Robertson Homes per BWP (1266646)

Amendment to return to a 25% quota. If unchanged then an exception for any existing, allocated or masterplan-led development which may require planning approvals for subsequent phases (i.e. through AMSC applications) and which has already delivered at least 25% of its target total capacity.

Springfield Homes (1147956)

Amendment to return to a 25% quota.

Summary of responses (including reasons) by planning authority:

Antonia Wright (1311246)

Noted.

Broadland Properties per John Wright (1312043)

See Issue 3 Housing Requirements for the Council's response to wider and related housing matters. The private volume housebuilding sector in Highland does not operate as a frictionless free market. It has many imperfections compared to most other local planning authority (LPA) areas. Land is owned by fewer parties, there are fewer volume housebuilders active in the market, and there are more physical and environmental constraints to development. Indigenous demand is lower and visitor demand higher but more volatile. Understandably, private housebuilders wish to minimise risks and costs, and increase market share by advance landbanking, minimising developer contributions and minimising competition. Springfield Properties acquisition of Tulloch Homes in December 2021 has further reduced local competition. Understandably too, housebuilders wish to minimise the speculative component of any housing development through confirmed pre-orders. A large number of completed but empty, unsold properties affect cash flow. Housebuilders strive to differentiate their product from competitors by location, house types and offers but individually and collectively they have a financial self interest in not "flooding the market" in a particular area with a similar house type. The Plan's only concern with the situation described above is that it stymies the release of later phases of larger sites and therefore stymies the provision of the affordable housing component of those later phases even though public affordable housing subsidy is available and the sites are most often in sustainable locations.

Policy 1 New Housing Development of the Cairngorms National Park Local Development Plan 2021 [*] is an example that a 25% quota isn't standard practice across all of Scotland. It seeks 45% of dwellings as affordable within four main settlements. Draft NPF4 in Policy 9 paragraph (h) [*] states that a higher contribution than the 25% benchmark may be sought where justified by evidence of need. The Council also already follows NPF4 advice in applying a lower percentage for most development in other parts of Highland such as Caithness. The Council's Housing Need and Demand Assessment [*], Strategic Housing Investment Plan (SHIP) and Highland Housing Register [*] highlight that the

Inverness Housing Market Area (HMA) and particularly Inverness City is where most need and planned future public subsidy is targeted. 44% of Highland's future affordable housing investment is targeted at the Inverness HMA, 48% of all Highland waiting list households wish to be housed in Inverness HMA, and 52% of the Plan area's housing need and demand is for affordable units within the Inverness HMA. The Council asserts that this constitutes sufficient evidence of need to justify a higher than standard percentage. The Council's choice of 35% rather than the Cairngorms National Park Authority's choice of 45% is in recognition of the potential viability impacts of a higher percentage. So too is the choice only to seek it within the Inverness City Settlement Development Area excepting land within the city centre boundary defined within the Plan. This will concentrate the amended policy's impact on land with the highest private demand and, other things being equal, with the best viability. This and other general policies within the Plan have clauses inserted to allow reduced developer contributions if the developer can demonstrate via a viability assessment that the total level of contributions sought will prevent an allocated or otherwise policy supported site from being developed. The Council uses a standardised section 75 legal agreement for affordable housing contributions and changing the percentage for Inverness City developments will not in itself cause delay or cost. Accordingly, the Council believes the Plan should remain unaltered in respect of this issue.

Donald Begg (1312031)

See Issue 3 Housing Requirements for the Council's response regarding the desirability of changes to national affordable housing legislation, policy and funding. However, these matters are outwith the Plan's remit and control.

Forbes per G&G (1271817)

See response to Broadland Properties above.

Glenurquhart Rural Community Association (1220765)

The Council's Developer Contributions Supplementary Guidance (DCSG) [*] in paragraphs 4.14 and 4.15 provides the Council's definition of affordable housing. Affordable housing providers do match waiting list applicants to housing types as far as possible but a lack of sufficient public subsidy can often mean that there is an imperfect match by tenure and price/rental level. Although important, the letting and allocation policies of affordable housing providers are outwith the Plan's remit and control.

Homes for Scotland (966619)

See response to Broadland Properties above.

Kirkwood Homes per EMAC Planning (1270584)

See response to Broadland Properties above.

Ministry of Defence (1270246)

Support for "financial viability" exemption noted.

Nairn River Community Council (1312260)

Affordable housing providers do match waiting list applicants to housing types as far as possible but a lack of sufficient public subsidy can often mean that there is an imperfect match by tenure and price/rental level. Although important, the letting and allocation policies of affordable housing providers are outwith the Plan's remit and control. The commuted payment exception is contained within the DCSG which is not being reviewed through this Plan process. However, it is only applied to private housing developments

where 25% of the number of units proposed would be too small a number of units for an affordable housing agency to manage and/or the development is in a location with low housing need. Typically, this results in a shift of private funding and affordable unit provision from smaller to larger settlements. See Issue 13 Delivering Development and Infrastructure for the Council's response regarding seeking, ringfencing and allocating developer contributions. The calculation of commuted affordable housing development payments is specified within paragraphs 4.25 to 4.31 of the DCSG for all of Highland. Payments do vary across Highland but according to average developments costs not the level of local housing need. Generally, taking commuted payments results in affordable housing provision in more economically viable and environmentally sustainable locations. See Issue 3 Housing Requirements for the Council's response regarding the "brownfield not greenfield" development sites issue.

Rachael Probee (1310748)

See response to Glenurquhart Rural Community Association above.

Robertson Homes per BWP (1266646)

See response to Broadland Properties above. Paragraph 10.12 of the DCSG clarifies that any new development plan developer contributions will only apply to fresh planning applications not extant and intended to be implemented permissions. The Council will only seek to apply Policy 10 after the Plan's adoption. This and the other general policy measures that are likely to affect developer (or landowner) costs (values) were trailed in the MIR in January 2021 and the Plan may not be adopted until 2024. Therefore, there has been and will be a sufficient lead time for the development industry to adjust. Highland is losing out to other local authorities in terms of available Scottish Government affordable housing grant aid because of slow progress with the phasing of larger private led sites and affordable housing agencies being unable to acquire their own sites. Sufficient public subsidy is available for most affordable tenures on the larger private led sites.

Springfield Homes (1147956)

See response to Broadland Properties above.

Reporter's conclusions:

Reporter's recommendations:

Issue 16	GP12: Growing Settlements	
Development plan reference:	Section 3 General Policies, PDF Pages 69-71	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Aird Community Trust (1311972) Nairn River Community Council (1312260) Rachael Probee (1310748) RSPB (1311075) SEPA (906306) Steve North (1263190)</p>		
Provision of the development plan to which the issue relates:	General Policy 12, PDF Paragraphs 82-83	
Planning authority's summary of the representation(s):		
<p><u>Aird Community Trust (1311972)</u> Supports but seeks emphasis on importance of establishing active travel infrastructure within these communities (eg to and from local school or to access school buses) and between them and other nearby communities because of the need to encourage more sustainable and healthier travel and the difficulty of retrofitting such links. Also seeks clarification that developer contributions will be retained and used locally to support delivery of these links.</p> <p><u>Nairn River Community Council (1312260)</u> Queries the applicability of this policy to Nairn.</p> <p><u>Rachael Probee (1310748)</u> Objects to policy's premise that further housing development sustains local rural facilities. Rural repopulation will only be successful if facilities and infrastructure are improved prior to further development.</p> <p><u>RSPB (1311075)</u> Believes that this criteria based policy is too permissive because the possible presence of nationally or internationally important natural heritage designations or protected species is not accounted for. Queries whether the policy will be applied in isolation from other LDP policies that reference natural heritage.</p> <p><u>SEPA (906306)</u> Supports (no reasons stated).</p> <p><u>Steve North (1263190)</u> Supports (no reasons stated).</p>		

Modifications sought by those submitting representations:Aird Community Trust (1311972)

Amendments to emphasise the importance of establishing active travel infrastructure within these communities (eg to and from local school or to access school buses) and between them and other nearby communities, and clarification that developer contributions will be retained and used locally to support delivery of these links (all assumed).

Nairn River Community Council (1312260)

Clarification that the policy won't be applied to Nairn (assumed).

Rachael Probee (1310748)

Amendments to remove reference to further housing development sustaining local rural facilities and a requirement for upgraded facilities and infrastructure prior to further development.

RSPB (1311075)

Supplies full amended policy [*] which clarifies that any proposal that complies with this policy's criteria will then be considered against other relevant policies in the HwLDP and aIMFLDP.

SEPA (906306)

None (assumed).

Steve North (1263190)

None (assumed).

Summary of responses (including reasons) by planning authority:Aird Community Trust (1311972)

Support noted. These settlements are the lowest tier of identified communities because they are small in population, usually remote from higher order centres, and don't always have a primary school. Accordingly, it is unlikely to be viable via the public purse or by seeking developer contributions to fund the active travel infrastructure sought. See Issue 13 GP9: Delivering Development and Infrastructure regarding the collection and use of developer contributions. However, each growing settlement has a list of placemaking priorities where particular active travel network improvements can be referenced. These are included where they form part of a longer inter-main-settlement route for example at Inchmore.

Nairn River Community Council (1312260)

This policy doesn't apply to the settlement of Nairn.

Rachael Probee (1310748)

See Issue 13: GP9 Delivering Development and Infrastructure for the Council's response to respondents suggesting a development embargo until all infrastructure and facility networks are improved. Fortunately, many of the growing settlements have spare capacity in their facilities particularly in the remoter primary schools and parish halls. New development can also create sufficient local catchment demand to keep a local shop, post office or hotel in business.

RSPB (1311075)

A planning application is assessed against all relevant approved development plan policies not a single policy. Policies 57 to 62 of the HwLDP would also be triggered if an application within a growing settlement is likely to have natural heritage impacts.

SEPA (906306)

Noted.

Steve North (1263190)

Noted.

Reporter's conclusions:

Reporter's recommendations:

Issue 18	GP15: Development Briefs	
Development plan reference:	Section 4 Places, City of Inverness Spatial Strategy (PDF Pages 177-182), Appendix 6 Development Briefs (Policies 15(a-e))	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Abrdn per Pritchett (1312484) Antonia Wright (1311246) Christine Farrar (1312491) Dennis Tracey (1312010) Equorium Property per John Handley (1312478) Gillian Kirby (1312402) Jane Shadforth (1323040) Lidl per KHP (1312411) Port of Inverness per G&S (1220786) SSEN (1311702)</p>		
Provision of the development plan to which the issue relates:	General Policy 15, City of Inverness Spatial Strategy, Map 21,PDF Paragraphs 169-175	
Planning authority's summary of the representation(s):		
<p><u>Abrdn per Pritchett (1312484)</u> Supports reference to and inclusion of Inshes and Raigmore Development Brief but points out that its provisions contradict site specific allocations within the IMFpLDP2 and therefore the latter should be changed to accord with the Brief's provisions.</p> <p><u>Antonia Wright (1311246)</u> Supports apart from Inverness City Centre Development Brief (no reasons stated).</p> <p><u>Christine Farrar (1312491)</u> Supports the reference to and inclusion of the Muirtown and South Kessock Development Brief but seeks amendments to encourage additional watersports facilities for local clubs and visitors because: Inverness Canoe Club and the Sea Scouts presently share inadequate facilities with the Sea Scouts; and, better facilities would benefit local people as well as tourists.</p> <p><u>Dennis Tracey (1312010)</u> Supports principle of coordinating development through development briefs but these should be consulted upon before they are approved - specifically the Longman Landfill Brief. Queries when this Brief will be consulted upon.</p> <p><u>Equorium Property per John Handley (1312478)</u> Responds as owners of the Holm Mills Shopping Village which is located at Holm Mills Road, Dores Road, Inverness. Seek reaffirmation of the provisions of the Torvean and Ness-side Development Brief as it relates to that land – i.e. its role as an important City retail and tourism destination because of: the range of its retail offer, tourist facilities and</p>		

coach/sightseeing bus connectivity; the allocation in the aIMFLDP; the owner's commitment to develop and expand Holm Mills site and improve the visitor experience and retail offer; the site is part of a chain of 20 similar operations across the UK; and, refurbishment and expansion will safeguard existing and create new jobs and retain the site's existing visitor accreditation from Visit Scotland. Also requests addition of Holm Mills Shopping Centre to the hierarchy of protected commercial centres within General Policy 6 because this approach would accord with the advice of the Scottish Planning Policy (paragraphs 61 to 63) which confirms that commercial centres like the Holm Mills Shopping Village should be included as part of the network of centres in development plans.

Gillian Kirby (1312402)

Objects to further development within the Inshes and Raigmore Development Brief area because: lack of distributor road capacity and congestion which is getting worse with more/expanded destination uses at Raigmore Hospital, the Campus and Inshes Retail Park; this congestion has led to short cutting through the local road network; the Inshes Junction Phase 2 project will not reduce any of the traffic or pollution levels in an already densely populated area; and, remaining greenspace should be preserved for the health and wellbeing of the community and not developed in the way proposed.

Jane Shadforth (1323040)

Supports the principle of the Muirtown and South Kessock Development Brief provisions but feels more could be done for residents and visitors. Objects to additional housing around Merkinch Local Nature Reserve and as "infill" for Carnac Crescent and Craigton Avenue because it will reduce local greenspace. Also seeks improvements for pedestrians and cyclists at the Jammy Piece and Black Bridge junctions.

Lidl per KHP (1312411)

Queries meaning of Policy 15. Believes that if the listed development briefs are intended to form part of the approved development plan then the conflicts between their content and that of the IMFLDP should be resolved. For example, para 2.27 of the Inshes and Raigmore Development Brief (Appendix 6) identifies the northern part of site INS15 (i.e. Land South of Police Scotland) for business use whereas INS15 proposes the site for housing. The proposed allocations are mutually exclusive and the proposed IMFLDP is internally inconsistent.

Port of Inverness per G&S (1220786)

Seeks formal input to and consultation on any new/amended Longman Landfill Development Brief, Muirtown/South Kessock Brief, Inverness City Centre Development Brief and Inverness City Centre Vision because of their proximity to and/or impact upon Port land holdings.

SSEN (1311702)

Seeks to input to and amend listed Briefs in terms of appropriate setbacks from electricity transmission infrastructure. Specifically, seeks amendment to the Torvean and Ness-side Development Brief covered under Policy 15(e) and specifically to Pg 15, paras 5.14 and 5.15, titled "Development Around Powerlines". Asserts that quoted National Grid guidance "Sense of Place" is not relevant to high voltage transmission infrastructure in the Inner Moray Firth region. Reports that SSEN is preparing its own guidance document on this issue which should be quoted. Queries Brief's reference to 12m from the centreline of the overhead lines" which is not recommended in any guidance. SSEN require a default clearance of 35m from the centre line of the overhead line but may vary this on a case by

case basis depending on what type of development is proposed, the voltage of the overhead line and the position of the transmission towers/ pylons. Clearances are required for safety and operational requirements, with room for cable swing in the wind. Cable swing will vary depending on the location of the tower/pylon in relation to the development and the size and voltage of the overhead line.

Modifications sought by those submitting representations:

Abrdn per Pritchett (1312484)

None (assumed).

Antonia Wright (1311246)

None (assumed).

Christine Farrar (1312491)

Additional Plan content to encourage additional watersports facilities for local clubs and visitors at Muirtown Basin.

Dennis Tracey (1312010)

Clarification that a Brief will not be included within the Plan until completing its individual consultation process. A timescale for preparation and consultation on the Longman Landfill Brief (all assumed).

Equorium Property per John Handley (1312478)

Addition of Holm Mills Shopping Centre to the hierarchy of protected commercial centres within General Policy 6.

Gillian Kirby (1312402)

Deletion of new build / greenfield development allocations within the Brief area (assumed).

Jane Shadforth (1323040)

Clarification that the Plan doesn't support additional housing around Merkinch Local Nature Reserve or as "infill" for Carnac Crescent and Craigton. Addition of reference to need for improvements for pedestrians and cyclists at the Jammy Piece and Black Bridge junctions.

Lidl per KHP (1312411)

Either the proposed allocations in the proposed IMFLDP2 for Inverness amended to reflect the allocations identified in the development briefs or Proposed Policy 15 should be deleted in its entirety and the development briefs should be excluded from the Plan.

Port of Inverness per G&S (1220786)

A Plan commitment to consult the Port of Inverness or all affected landowners on any new/amended Longman Landfill Development Brief, Muirtown/South Kessock Brief, Inverness City Centre Development Brief or Inverness City Centre Vision.

SSEN (1311702)

A Plan commitment to ensure consultation with SSEN on any policy or proposal that may conflict with electricity transmission infrastructure. Specifically, amendment to the Torvean and Ness-side Development Brief covered under Policy 15(e) and specifically to Pg 15, paras 5.14 and 5.15, titled "Development Around Powerlines" to replace reference to National Grid with forthcoming SSEN guidance including reference to a default clearance

of 35m from the centre line of the overhead line (all assumed).

Summary of responses (including reasons) by planning authority:

Abrdn per Pritchett (1312484)

Support noted. The Inshes and Raigmore Development Brief (IRDB) is currently founded upon Policy 7 of the Highland wide Local Development Plan (HwLDP). The HwLDP is not being repealed and replaced by the second Inner Moray Firth Local Development Plan (IMFLDP2). IMFLDP2 will repeal and replace the 2015 adopted Inner Moray Firth Local Development Plan (aIMFLDP). The Plan recognises (on page 4 of the PDF version in the Status section) that for a very limited number of sites that different components of the current and future approved development plan (HwLDP, aIMFLDP, IMFLDP2 and Supplementary Guidance) do and will in future continue to say different things about the Council's attitude to development of these sites. The last sentence of that section clarifies that "In the event of any incompatibility between a provision of these plans then the most up to date plan will prevail as the Council's policy for that site/issue." This approach mirrors the approach taken within section 24(3) of the Town and Country Planning (Scotland) Act 1997 as amended, in assessing incompatible provisions of a local development plan and the National Planning Framework. In short, the Council recognises that the Plan will provide a more up to date Council policy position which for a very limited number of land parcels will be incompatible with older but still extant Council policy. Accordingly, the Council believes the Plan should remain unaltered in respect of this issue.

Antonia Wright (1311246)

Noted.

Christine Farrar (1312491)

The intention of Policy 15 is simply to roll forward the provisions of five existing, approved development briefs and highlight the intention to prepare an additional one for the Longman Landfill area. The Council has not invited comment or debate on those provisions except where it proposes a change. The Plan allocations at Dell of Inshes (INS03) and Sir Walter Scott Drive (INS15) are examples of where Plan change is proposed and comments have been invited and made. Therefore, the Council would assert that this respondent's detailed suggestion is outwith the scope of the Plan. The approved Brief [*] already makes several references to enhancing watersports access to the Muirtown Basin including support for additional moorings. Accordingly, the Council believes the Plan should remain unaltered in respect of this issue.

Dennis Tracey (1312010)

The Longman Landfill Brief has been delayed awaiting key decisions: by Transport Scotland on the design and funding of a grade separated A9/A82 junction; by SEPA whether to grant the partial surrender of the existing landfill site licenced area; and, by the Council on future waste management facilities. These decisions will be made and the Brief progressed to adoption within the Plan period. Accordingly, the Council believes the Plan should remain unaltered in respect of this issue.

Equorium Property per John Handley (1312478)

See Council responses above regarding the status of the Torvean and Ness-side Development Brief and which of its provisions may be affected by the current Plan. Plan allocation INS17 Ness-side North, promotes very little substantive change to the adopted

Brief's provisions other than opening up the option of some housing use of the respondent's property. The importance of the Mills as a long standing tourist attraction and local commercial centre is recognised. The Plan and the approved Brief support the expansion of that role. Notwithstanding the above, the Plan does not, separately, identify and protect commercial centres that don't meet all of the SPP town centre tests. See Issue 1 for the overview Council response to parties seeking the identification and protection of Inverness district and commercial centres.

Gillian Kirby (1312402)

See Issue 35 for detailed Council responses to individual allocations within Inshes and Raigmore. The Council accepts that there is unacceptable congestion along the Inshes Corridor and is progressing a multimodal transport scheme [*] to alleviate that congestion. Part of the reason for the Plan supporting housing rather than business / commercial uses on sites INS03 and INS15 is because housing is an origin rather than a destination use and also more likely in these locations to generate sustainable travel mode journeys. The Inshes Corridor transport scheme will close off current "rat-run" vehicular routes. The current and projected future vehicular traffic levels and congestion along the Inshes Corridor cannot be reduced simply by roadbuilding. Hence a multimodal solution is proposed introducing greater priority for bus and active travel journeys.

Jane Shadforth (1323040)

See response to Christine Farrar above. The Plan drops the previous policy support for additional housing around Merkinch Local Nature Reserve and as "infill" for Carnac Crescent and Craigton Avenue. It also supports active travel connectivity improvements across the City.

Lidl per KHP (1312411)

See responses to Abrdn per Pritchett and Christine Farrar above. The assertion that the IMFLDP2 will be internally inconsistent has substance. If the Reporter is minded to agree then the Council would suggest that the rolled forward development briefs which will be "physically bound" within the IMFLDP2 document should have any incompatible provisions "greyed out" to indicate the Council's most up to date planning policy position for the land affected.

Port of Inverness per G&S (1220786)

See responses above regarding which briefs are being rolled forward and which is still to be prepared. It is normal Council practice during the preparation of a new development brief to consult all landowners within its boundary. The Longman Landfill Development Brief is likely to include land within Port of Inverness' ownership and if so then the respondent will be consulted.

SSEN (1311702)

See responses above regarding the intention to roll forward most existing approved development brief content without amendment and therefore without debate. Where a Plan allocation proposes to amend that content then that issue/site should be subject to discussion. The Brief's reference to at least 12 metres or a 24 metre corridor is based upon Lands Tribunal for Scotland cases where the issue of appropriate setbacks has been discussed in great detail. These disputed compensation cases looked at the reality of built and consented houses schemes across Scotland and concluded that a much narrower corridor was appropriate than that suggested by the electricity transmission network providers. The 35m (70 metre corridor) suggested by SSEN may be appropriate as a consultation distance but not as an absolute and defensible built development setback

distance. If and when SSEN's guidance is published then the review of the Council's HwLDP Policy 30 Physical Constraints policy and its related guidance would be the most appropriate way in which to discuss and decide upon this issue – i.e. for the whole of Highland not just Ness-side.

Reporter's conclusions:

Reporter's recommendations: