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Mr D Cowie
Highland Council
Sent By E-mail

Our ref: LDP-270-5

11 April 2018

Dear Mr Cowie

**PROPOSED CAITHNESS AND SUTHERLAND LOCAL DEVELOPMENT PLAN
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT PLANNING) (SCOTLAND) REGULATIONS 2008**

SUBMISSION OF THE REPORT OF THE EXAMINATION

We refer to our appointment by the Scottish Ministers to conduct the examination of the above modified proposed plan, which was approved in August 2016 and replaced the original proposed plan.

Having satisfied ourselves that the planning authority's consultation and engagement exercises conformed with the relevant participation statements our examination of the proposed plan commenced on 31 May 2017. We have completed the examination and now submit our report.

In our examination we considered all 28 issues arising from unresolved representations identified by yourselves to both the original and modified proposed plans. In each case, we have taken account of the original representations, as well as your summaries of the representations and your responses to such, and we have set out our conclusions and recommendations in relation to each issue in our report.

The examination process included site inspections and requests for additional information from yourselves and other parties.

We did not require to hold any hearing or inquiry sessions.

The reporters declined the request by Wildland Ltd to hold an oral session of the examination to discuss landscape designations. They noted: that the review of National Scenic Areas would be a matter for Scottish Ministers, advised by Scottish Natural Heritage (SNH), and not for Highland Council as planning authority; and that the identification and review of wild land areas is the responsibility of SNH.

Throughout the report, we have referred to the plan, unless it has been necessary to distinguish between the original proposed plan and the modified proposed plan, where we have identified each version separately.

Subject to the limited exceptions as set out in Section 19 of the Town and Country Planning (Scotland) Act 1997 (as amended) and in the Town and Country Planning (Grounds for Declining to Follow Recommendations) (Scotland) Regulations 2009, you are now required to make the modifications to the plan as set out in our recommendations.

For the avoidance of doubt, our recommendations all relate to the modified proposed plan, except where specific reference has been made to the original proposed plan. Our recommended modifications do not identify new paragraph numbers because the paragraph numbering in the plan will be changing.

You should also make any consequential modifications to the text (including paragraph numbering) or maps which arise from these modifications. Separately, you will require to make any necessary adjustments to the final environmental report and to the report on the appropriate assessment of the plan.

All those who submitted representations will be informed that the examination has been completed and that the report has been submitted to yourselves. We will advise them that the report is now available to view on the DPEA website and on the authority's website.

The documents relating to the examination should be retained on your website for a period of six weeks following the adoption of the plan by yourselves.

It would also be helpful to know when the plan has been adopted and we would appreciate being sent confirmation of this in due course.

Yours sincerely

Timothy Brian	*Chris Norman*	*Dilwyn Thomas*
Reporter	**Reporter**	**Reporter**

REPORT TO THE HIGHLAND COUNCIL

ON THE

PROPOSED CAITHNESS AND SUTHERLAND

LOCAL DEVELOPMENT PLAN EXAMINATION

Reporters: Timothy P W Brian BA(Hons) DipURP MRTPI
Chris Norman BSc(Hons) MRTPI
EDK Thomas BSc (Hons) MBA MRTPI

Date of Report: 11 April 2018

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Examination of Conformity with the Participation Statements

1. Section 19(4) of the 1997 Town and Country Planning (Scotland) Act (as amended) states that a person appointed to examine a proposed local development plan "is firstly to examine…the extent to which the planning authority's actings with regard to consultation and the involvement with the public at large have conformed with (or have been beyond the requirements of) the participation statement of the authority which was current when the proposed plan was published under Section 18(1)(a)."

2. Section 20B of the 1997 Act requires each planning authority to prepare a Development Plan Scheme at least annually. The scheme should set out the authority's programme for preparing and reviewing its Local Development Plan. It must include a participation statement, which should state when, how and with whom consultation on the plan will take place, and the authority's proposals for public involvement in the plan preparation process.

3. Paragraph 110 of Circular 6/2013: Development Planning, indicates that in the assessment, the appointed person (the reporter) is only expected to refer to existing published documents such as the Participation Statement, the Statement of Conformity with this, and any representations relating to the authority's consultation and public involvement activities. It also indicates that Scottish Ministers do not expect any additional evidence to be routinely invited on these matters.

4. The Original Proposed Caithness and Sutherland Local Development Plan was published and issued for consultation in January 2016. Subsequently, the planning authority published and issued for consultation a Modified Proposed Plan in September 2016. The Development Plan Scheme, which was current for the Original Proposed Plan, was approved by the planning authority in February 2015. The one, which was current for the Modified Proposed Plan, was approved in August 2016 (subject to it incorporating the decisions being made subsequently by the Sutherland and Caithness Committees on the Original Proposed Plan). That scheme updated the February 2016 Development Plan Scheme to take account of the findings of a review undertaken of the authority's development plan work programme.

5. Participation Statements are included in the February 2015, February 2016, and August 2016 Development Plan Schemes. They indicate that the planning authority encourages people to get involved from the start of the plan preparation process, and that it aims to make this involvement as simple as possible. They also set out, in very broad terms, the key stages in the plan preparation process at which consultation and public engagement will take place, along with a variety of engagement techniques.

6. The representations made on the Original Proposed Plan did not have to be resubmitted for the Modified Proposed Plan. This examination has therefore considered conformity with the consultation and engagement measures proposed in both the February 2015 and August 2016 Participation Statements. There are some differences between the measures outlined in the 2 statements. The measures in the February 2016 Participation Statement are the same as those in the February 2015 Statement.

7. The 2015 and August 2016 Participation Statements contained relevant measures which could be applied to the proposed plan stage. These involved proposing to:

1. produce interactive online documents that are easy to read and comment upon;

2. include clear maps and graphics in documents;
3. use a range of media to keep people up to date and let them know how and when they can get involved;
4. provide copies of plans in service points and/or libraries;
5. work with community groups and stakeholders to encourage them to participate;
6. use public meetings and committees to provide regular progress updates; and
7. maintain availability to allow people to speak with those preparing the plans.

The August 2016 Participation Statement had one additional measure which involved proposing to notify the immediate neighbours of potential development sites at the proposed plan stages of the Area Local Development Plans, and it varied measure 4 by allowing copies of plans to be provided in service points or libraries, rather than requiring them to be provided in both.

8. The planning authority submitted a Report of Conformity to Ministers along with the Original Proposed and Modified Proposed Plans. It sets out in detail the actions the planning authority took in order to comply with the proposed consultation measures for the Original Proposed and Modified Proposed plans, using the measures contained in the 2015 and 2016 Participation Statements. These actions included:

- preparing and publishing the 2 Plans in the planning authority's new consultation portal, allowing interaction with the Plans and the submission of comments online;
- designing and including simple maps for places and allocations, refining the Strategy Map in the Original Proposed Plan to make it clearer and easier to understand, and providing questions in the online consultation to include detail about where changes have been made in the Original Proposed Plan;
- advertising the publication and consultation of the 2 Plans in local newspapers and online, through facebook, twitter and the authority's website, and by producing press releases;
- writing to everyone within 30m (rather than the minimum 20m) of both an allocated site in the Original Proposed Plan and a modified site in the Modified Proposed Plan;
- writing to everyone on the consultee database that registered an interest in the Original Proposed Plan, and writing to everyone that commented on the Original Proposed Plan to make them aware of the modifications;
- providing all service points and libraries in the Plan area (and nearby Tain) with hard copies of the 2 Plans and of the Action Programmes, and supplying posters so that they could advertise that hard copies were available;
- writing to all community councils and providing posters and information leaflets to encourage them to raise awareness about the consultation, and to include agenda items about the Original Proposed Plan at their meetings;
- aligning the 2 Plans with the Highland Community Planning Partnership's Single Outcome Agreement (3);
- consulting a range of stakeholders on the associated action programmes about actions relevant to them;
- seeking approval from the Planning, Development and Infrastructure Committee to publish and consult on the Original Proposed Plan, and presenting a report to the relevant area committees on the issues which triggered the consultation on the Modified Proposed Plan;
- attending community council training events to promote the consultation on the Original Proposed Plan;
- providing details about the consultation, details of how to access the Original Proposed and Modified Proposed Plans online and the contact details of the relevant planning

officers (along with their geographical areas of responsibility) to the Service Centre which is the first point of contact for people getting in touch; and
- giving people 8 weeks to comment on the Original Proposed Plan.

9. We have considered the community engagement actions outlined in the Statement of Conformity, the proposed consultation measures outlined in the 2015 and August 2016 Participation Statements, and the supporting documentation submitted by the planning authority. We note that, amongst other things, the planning authority: made available relevant published documents on its website and in convenient locations; appropriately publicised the 2 Plans, including drawing them to the attention of various interested parties and notifying neighbours; and provided reasonable opportunities to make responses and representations regarding the 2 Plans. The consultation measures that the planning authority carried out show that it acted as it said it would. In the circumstances, we are satisfied that the Planning Authority conducted an appropriate consultation exercise on the Modified Proposed Plan, as envisaged by Scottish Ministers, and that the exercise generally conformed with the intentions of the August 2016 Participation Statement. We are also satisfied that the consultation exercise conducted for the Original Proposed Plan generally conformed with the intentions of the 2015 Participation Statement.

10. Representations were lodged regarding the consultation measures used by the planning authority. We do not accept that the planning authority made only minimal efforts in publicising the Original Proposed and Modified Proposed Plans. We consider that the consultation exercises outlined above involved reasonably wide ranging, appropriate and proportionate measures, which were generally suited to local circumstances and allowed the planning authority to engage effectively with the public at large. While we acknowledge that the authority encouraged the public to submit their responses online, it made clear in its publicity material that alternative arrangements could be made if people could not access the online version of the consultation material. Additionally, the planning authority indicates that it made available a user guide online and an information leaflet to help people register and make comments online. The authority also explains that, when contacted, staff from the development plan team assisted people to use the consultation portal. We are satisfied that for both the Original Proposed and Modified Proposed Plans, people were given sufficient opportunity and time to make representations.

11. Although Dunnet and Canisbay Community Council believes that the planning authority erred in not holding a public meeting in its area, we consider that the authority took suitable steps to engage all community councils in the Plan area and promote the consultation exercises. Overall, we are satisfied that the concerns raised in representations do not undermine the consultation measures that the planning authority carried out for both the Original Proposed and Modified Proposed Plans.

12. In the circumstances, we found that the planning authority had acted in accordance with Section 19(4) of the Act. We therefore proceeded with the examination.

Issue 1	**Vision**	
Development plan reference:	Vision page 1	**Reporter:** Tim Brian

Body or person(s) submitting a representation raising the issue (including reference number):

Amelia Walker (931321)
David Doohan (980228)
Jacqueline Ridgley (930800)
Kenneth Nicol (977530)
London and Scottish Investments Limited (979770)
Mountaineering Council of Scotland (964649)
RSPB Scotland (956544)
Scotia Homes Ltd (909099)
Scrabster Harbour Trust (980302)
SNH (909933)
SSE plc (983775)

Provision of the development plan to which the issue relates:	Vision text and Outcomes

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

Vision General

Scotia Homes Ltd (909099), London and Scottish Investments Limited (979770), David Doohan (980228), Amelia Walker (931321) - Supports the vision.

Kenneth Nicol (977530), Jacqueline Ridgley (930800) - There should be a statement to increase the attractiveness of the area as a place to live, work and invest.

SSE plc (983775) - The vision should give recognition that onshore wind energy development within Caithness is a significant land use and contributor to the local economy. The relationship between the development of renewable energy and in particular onshore wind, employment and climate change, would benefit from recognition.

Growing Communities Outcome

RSPB Scotland (956544) - Supports the outcome but "sustainable" should include consideration of the natural environment as well as economic and social factors. The protection and enhancement of natural resources should be specifically referred to in the Plan's Vision.

Employment Outcome

RSPB Scotland (956544) - The protection and enhancement of biodiversity should be an integral part of economic development in Caithness and Sutherland. Wildlife tourism should be included. RSPB Scotland seeks modifications to the Vision as follows: The

addition of “wildlife” to the “Employment” part of the Vision, so that it ends with “...and a tourist industry that combines wildlife, culture, history and adventure”.

Mountaineering Council Of Scotland (964649) - "... an internationally renowned centre for renewable energy" should read, "for marine renewable energy" since onshore wind and hydro development is short-term construction activity which does not produce the local technological intellectual capital needed to create profitable exporting enterprises. The final sentence should be amended to, "... a tourist industry that combines culture, history, scenic landscapes and adventure." Scenic landscapes are a major factor in visits to the area.

Scrabster Harbour Trust (980302) - Oil and gas sector should be specifically mentioned in the vision as activity west of Shetland and on the Atlantic Frontier is increasing. Caithness, through its ports and developed engineering supply chain, is already supporting this increase and there is further opportunity for this sector to grow. Companies have plans for West of Shetland that extend beyond the next forty years and the plan should acknowledge this opportunity.

Environment and Heritage Outcome

SNH (909933) - Supports the outcome. Welcomes recognition of the unique natural environment and its contribution to the success of communities in the plan area.

RSPB Scotland (956544) - The addition of “and enhanced” at the end of the “Environment and Heritage” part of the Vision, so that it reads “High quality places where the outstanding environment and natural, built and cultural heritage is celebrated and valued assets are safeguarded and enhanced.”

Modifications sought by those submitting representations:

Vision General

Kenneth Nicol (977530), Jacqueline Ridgley (930800) - Amend vision to include a statement to increase the attractiveness of the area as a place to live, work and invest.

SSE plc (983775) - Amend vision to state that in Caithness onshore wind energy development is a significant land use and contributor to the local economy.

Growing Communities Outcome

RSPB Scotland (956544) - Include consideration of the natural environment.

Employment Outcome

RSPB Scotland (956544) - The addition of “wildlife” to the “Employment” part of the Vision, so that it ends with “...and a tourist industry that combines wildlife, culture, history and adventure”.

Mountaineering Council of Scotland (964649) - Amend outcome to read, “an internationally renowned centre for marine renewable energy”.

Final sentence amended to, "... a tourist industry that combines culture, history, scenic

landscapes and adventure."

Scrabster Harbour Trust (980302) - Specifically mention the oil and gas sector.

Environment and Heritage Outcome

RSPB Scotland (956544) - The addition of “and enhanced” at the end of the outcome.

Summary of responses (including reasons) by planning authority:

The four outcomes reflect the priorities identified in the Community Planning Partnership’s Single Outcome Agreement (CD20). All four outcomes must be read together and alongside the rest of the Plan. It is acknowledged that the outcomes are high level, but this is intentional and therefore not everything is specified and listed. Having been distilled from various partner and community planning priorities during the plan preparation, the outcomes reflect a shared view of what any development or investment should help to achieve for the Caithness and Sutherland area. The subsequent chapters of the plan show how the plan will address these outcomes.

Vision General

The general support for the vision from some of the representees is noted.

The Council feels that the combination of the four Outcomes and in particular the Growing Communities Outcome generally covers the idea of making Caithness and Sutherland an attractive area to live, work and invest. No modification is proposed by the Council.

Paragraph 51 in the Employment section refers to renewable energy delivering economic benefits for the area and the Council feels that this is sufficient recognition of the role of onshore wind energy development in the plan area, without the need to add a more explicit reference to this and other key sectors in the four outcomes/vision. CaSPlan needs to be read alongside the Highland-wide Local Development Plan (HwLDP) (CD18) and the Onshore Wind Energy Supplementary Guidance (CD12). The plan must be read as a whole and in particular the outcomes must be read with the strategy map. No modification is proposed by the Council.

Growing Communities Outcome

The Council acknowledges that the RSPB feel that “sustainable” should include consideration of the natural environment. However the Environment and Heritage Outcome clearly refers to the outstanding environment and that valued assets in the natural environment should be celebrated and safeguarded. The four outcomes need to be read together and are not intended to be stand alone. It should also be noted that CaSPlan needs to be read alongside the HwLDP (CD18) which contains Policy 28 Sustainable Design which is relevant to all development proposals. No modification is proposed by the Council.

Employment Outcome

The word “sustainable” was added to this outcome following comments received at MIR stage.

The environment and heritage outcome already states that the natural environment should be celebrated and valued assets safeguarded. Wildlife tourism is not mentioned per se but the Council does accept that wildlife tourism is a key part of the area's tourism 'offer'. Therefore if the Reporter is so minded to add wildlife to the end of the outcome after "adventure", the Council would be agreeable to this.

The Council does not feel that it is appropriate to narrow the reference to renewable energy to just marine renewables at this high and over-arching level. In terms of adding "scenic landscape" in the final sentence, the environment and heritage outcome refers to the outstanding natural environment which is celebrated and safeguarded. No modification is proposed by the Council.

The outcomes are designed to be overarching and to be read alongside the strategy map and the rest of the plan. Within the Employment section of the plan, in paragraph 64, there is acknowledgment that the plan supports employment-generating uses like offshore industries and encourages growth of the area's ports and harbours. The Council feels that this includes the oil and gas sector and does not feel it is necessary to provide an explicit reference within the outcome. No modification is proposed by the Council.

Environment and Heritage Outcome

The support from SNH is noted.

Paragraph 13 bullet point 1 refers to protecting and enhancing the unique natural environment and the Council feels that this is the most appropriate place to have this, rather than in the environment and heritage outcome. During the plan making process the Council has discussed the wording of the outcomes with SNH and they are supportive of the outcome as it currently reads. No modification is proposed by the Council.

Reporter's conclusions:

1. The introduction to the Plan explains that development proposals will need to consider the relevance of all the contents of the Plan, including its Vision and Spatial Strategy. Conformity with a single policy or element of the Vision and Spatial Strategy does not indicate conformity with the Plan as a whole.

2. The introduction also makes clear that the council will take account of a wide range of other factors in making planning decisions, including the Highland-wide Local Development Plan (HwLDP), Supplementary Guidance and non-statutory planning guidance. Once adopted, the Plan will join the HwLDP and Supplementary Guidance (SG) as part of the statutory development plan for the area.

Vision General

3. I note that there is general support for the Vision from various representors. I agree with the planning authority that the four Outcomes, taken together, already convey the Plan's intention to make the area an attractive place to live, work and invest. The Growing Communities, Employment and Environment and Heritage Outcomes, in particular, address that concern.

4. I understand SSE's desire that the Vision should include an explicit recognition of the economic importance of onshore wind energy development in Caithness, and the demand

for such development in the area. However, the Plan needs to be read as a whole, and the section on Employment already acknowledges the contribution of renewable energy generation in the area to meeting climate change targets and its economic benefits. The significant growth of onshore wind energy in recent years in the north east of the Plan area (Caithness) is specifically referenced.

5. There is further recognition of the benefits of renewable energy production in tackling climate change and contributing to the local and regional economy within the HwLDP, and the Onshore Wind Energy SG (which contains the spatial framework for onshore wind energy).

6. I therefore see no need to amend the Vision as SSE suggests.

Growing Communities Outcome

7. This Outcome refers to a network of successful, sustainable and socially inclusive communities. The word 'sustainable' is not defined in the Glossary of the Plan, but it is widely understood as having an environmental component. Scottish Planning Policy (SPP) advises that the planning system should support economically, environmentally and socially sustainable places by enabling development that balances the costs and benefits of a proposal over the longer term.

8. Moreover, the Environment and Heritage Outcome aims to achieve high quality places where the outstanding environment and natural heritage is celebrated and valued assets are safeguarded. Policy 28 of the HwLDP requires proposed developments to be assessed on the extent to which they impact on habitats, freshwater systems, species and marine systems, amongst other considerations.

9. I am therefore satisfied that the Plan, in combination with the HwLDP, makes appropriate provision for the protection and enhancement of natural resources, and that it is not necessary to amend the terms of this Outcome.

Employment Outcome

10. I agree with RSPB that the Vision should highlight the substantial opportunities for wildlife tourism in the area, and I propose to adopt the minor modification which is now accepted by the planning authority.

11. I do not, however, consider that the reference to renewable energy in the Employment Outcome should be limited to marine renewables. As already stated above, the HwLDP and the Onshore Wind Energy SG recognise the economic benefits of onshore wind energy, and it would be inconsistent for the Plan to restrict the terms of the Outcome in the manner suggested by the Mountaineering Council of Scotland.

12. Similarly, there is little value in inserting a reference to scenic landscapes within the Employment Outcome, when the Environment and Heritage Outcome already refers to high quality places where the outstanding environment and natural, built and cultural heritage is celebrated and valued assets are safeguarded.

13. The Vision and Outcomes are intended to be general and high level, and they do not need to cover all of the activities referred to elsewhere in the Plan. Within the Employment section of the Plan there is clear support for employment generating uses like offshore

industries (which include the oil and gas sector), and encouragement for the growth of the area's ports, so I do not consider that an amendment to the Employment Outcome is justified.

Environment and Heritage Outcome

14. I consider that RSPB Scotland's concern to ensure that valued assets are safeguarded *and enhanced* is addressed elsewhere in the Plan, where the focus on 'Environment and Heritage' (which is explained in paragraph 13) includes "protecting and enhancing the unique natural environment…taking account of key natural features…and in setting developer requirements...". Accordingly, I conclude that no modification requires to be made to this Outcome in response to this representation.

Reporter's recommendations:

I recommend that the following modification be made:

Employment Outcome

1. Under the Employment Outcome of the Vision and Employment sections, pages 1 and 15, adjust the last line of the Outcome so that it reads:

"…industries and a tourist industry that combines culture, history, adventure and wildlife."

Issue 2	**Spatial Strategy**	
Development plan reference:	Spatial Strategy (MPP pages 2 – 5)	**Reporter:** Dilwyn Thomas

Body or person(s) submitting a representation raising the issue (including reference number):

Amelia Walker (931321)
Ardgay & District Community Council (951607)
Balnagown Castle Properties (968666)
Crofting Commission (955042)
David Doohan (980228)
Gills Harbour Ltd (962325)
Jacqueline Ridgley (930800)
Kenneth Nicol (977530)
Scottish Water (953627)
Scrabster Harbour Trust (980302)
SSE plc (983775)

Provision of the development plan to which the issue relates:	Spatial Strategy text and Strategy Map

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

Strategy General

David Doohan (980228), Amelia Walker (931321) - Due diligence is required for projects and to improve the outcomes.

Crofting Commission (955042) - Generally supportive of the main spatial elements identified in the strategy. Restricting specific site locations to the main settlements is an improvement from previous Plans that have sought to identify potential development sites in smaller settlements. The social, economic and cultural significance of crofting should continue to be recognised.

SSE plc (983775) - Renewable energy development is a very important economic industry for the area and should be reflected in the plan. The policy approach for marine renewables is specifically supported; however when the plan is read as a whole it does not provide adequate encouragement and support for appropriately sited renewable energy development. The 'Area for Energy Business Expansion' is a positive start to enhancing the policy position of support for renewable energy and related developments within a strategically defined geographical area. However it is unclear exactly what form of development would be supported within this area. Paragraph 52 states that marine renewables development within the Area for Energy Business Expansion is likely to be considered acceptable in principle; however, this is not recognised by the definition of the Area for Energy Business Expansion in the glossary or at paragraph 11. Nowhere within the plan is there direct support for onshore renewable energy development within the Area for Energy Business Expansion. Further clarity on the intentions of the Area for Energy Business Expansion is required. The plan should clearly align with the emerging

Onshore Wind Energy Supplementary Guidance. The Strategy Map needs to be clear what form of development is envisaged for the grey area. There are also settlements within this area and the Strategy map does not appear to envisage development within or adjacent to these settlements. Additional explanatory text is required.

Paragraph 6

Scrabster Harbour Trust (980302) - There should be a specific reference to the ports.

Paragraph 7

Kenneth Nicol (977530), Jacqueline Ridgley (930800) - Implies that new homes are needed, however any development should take account of demand. If an area is showing a declining population then additional major housing will not be required.

Paragraph 11 – Employment

Scrabster Harbour Trust (980302) - Supports the acknowledgements of the important part that ports can play and that the major growth area is energy related.

Strategy Map

Balnagown Castle Properties (968666) - Supports the identification of Ardgay and Edderton as settlement development areas and Rosehall as a growing settlement on the map.

Ardgay & District Community Council (951607) - Supports the reference to the unique tourism potential that Central Sutherland has to offer. National Cycle Route NC1 is shown as a purple line but it could be enhanced with shading to designate it as a sustainable/green travel tourism route.

Gills Harbour Ltd (962325) - The 'offshore renewables' caption off the North Sutherland coast on the 'Strategy Map' represents wishful thinking and should be deleted and re-sited in the Pentland Firth to the East of the 'median' line of the 2 kms wide Merry Men of Mey tide-race, as this is where all four of the Crown Estate tidal-stream seabed leases in the Pentland Firth proper are sited. The 'Offshore Renewables' caption off East Caithness is justified by the strong interest in offshore wind-farms there.

Paragraph 10 Growing Communities

Scottish Water (953627) - Welcomes the approach, however, Scottish Water appreciates that sustainable development and natural growth are essential within the rural setting and is willing to work with both rural and urban developers to explore how Scottish Water can assist such development within Scottish Water’s remit and funding structure.

Paragraph 13 Environment and Heritage

Kenneth Nicol (977530), Jacqueline Ridgley (930800) - Consideration should be given to other aspects of promoting tourism other than historic e.g. natural environment and adventure sports tourism.

Modifications sought by those submitting representations:

Strategy General

SSE plc (983775) - The importance of renewable energy should be reflected in the plan. Clarify the intentions of the "Area for Energy Business Expansion".

Clear alignment with the emerging Onshore Wind Energy Supplementary Guidance. Clarify what is envisaged for the "grey" area on the map.

Paragraph 6

Scrabster Harbour Trust (980302) - Include a reference to the ports.

Strategy Map

Ardgay & District Community Council (951607) - Add shading to NCR1 line and designate as a sustainable/green travel tourism route.

Gills Harbour Ltd (962325) - Move the "offshore renewables" caption off the North Sutherland coast and re-site in the Pentland Firth to the east of the "median" line of the 2km wide Merry Men of Mey tide-race.

Paragraph 13 Environment and Heritage

Kenneth Nicol (977530), Jacqueline Ridgley (930800) - Include natural environment and adventure sports tourism.

Summary of responses (including reasons) by planning authority:

Strategy General

The comment on due diligence is noted.

The support from the Crofting Commission is noted. The Highland-wide Local Development Plan (HwLDP) (CD18) contains policies relevant to crofting and these will be updated in partnership with the Crofting Commission through the on-going Highland-wide Local Development Plan review.

The "Area for Energy Business Expansion" is not intended to be used as a land use allocation for energy developments. It is not intended to show where renewables devices would be acceptable on the ground, but rather it is intended to show where the Council would be particularly supportive of the necessary supporting terrestrial infrastructure, including associated business and industrial developments. It is also intended to promote the energy sector within the area and help to generate local jobs. Paragraph 11 bullet point two states that the plan seeks to maximise opportunities arising from the energy sector. The role of this plan is not to identify specific opportunities for wind energy developments. Any proposals would be considered on their merits through planning applications and pre-application advice, with reference to the Development Plan as a whole. However, to provide further clarity of what the Area for Business Expansion is intended for, if the Reporter is so minded the Council would be agreeable to the following change being made to paragraph 11 bullet point 2: remove "the energy sector" and

replace with “offshore renewables and oil and gas”.

The purpose of the Onshore Wind Energy Supplementary Guidance (CD12) is to set out the Spatial Framework and other guidance against which all onshore wind developments will be assessed. This is set against Highland-wide Local Development Plan (CD18) Policy 67 Renewable Energy Developments. It is not intended for CaSPlan to include the Spatial Framework for onshore wind developments, but to be used alongside it, both as part of the Development Plan. Each is prepared having regard to other parts of the Development Plan (LDPs and Supplementary Guidance).

The “grey” area on the map is part of the wider countryside as explained within the Growing Communities section. Any proposals for development within this area would be assessed against the policies within the Highland-wide Local Development Plan (CD18). Many aspects of the Spatial Strategy in paragraphs 10-13 cover the whole, or at least wider “grey” areas. The map only identifies SDA and Growing Settlements. Any other settlements are considered as part of the wider countryside. This is explained in the three tiered approach to managing development in the Growing Communities section of the plan.

Paragraph 6

The final sentence of paragraph 6 refers to Census data, set out in the Monitoring Statement (CD06) which accompanies the Plan, which outlines the main sectors of employment that people in Caithness and Sutherland work in. Harbours are specifically mentioned in paragraph 10 bullet point two. No modification is proposed by the Council to paragraph 6.

Paragraph 7

The housing supply target for Caithness and Sutherland is informed by the Council’s Housing Needs and Demand Assessment (CD10) which indicates how much housing is required over the next twenty years. The issue of housing supply is covered in more detail in the Schedule 4 for Growing Communities. No modification is proposed by the Council to paragraph 7.

Paragraph 11 – Employment

Support from Scrabster Harbour Trust is noted.

Strategy Map

The support for identifying Ardgay and Edderton as settlement development areas and Rosehall as a growing settlement on the strategy map is noted.

The support for the reference to the tourism potential of Central Sutherland on the strategy map is noted.

The National Cycle Route was added to the strategy map following comments received to the Main Issues Report. The final bullet point of paragraph 11 refers to promoting and supporting tourism and specifically mentions the National Cycle Network and the Council feels that this is sufficient without the need to shade the route and designate as a sustainable/green travel tourism route. No modification is proposed by the Council.

The "offshore renewables" caption along the north Sutherland coast is there to reflect the aspiration for offshore renewable energy developments, over the next twenty years. It is recognised that current activity is further to the east but the strategy map is not just reflecting what is happening at present. If the Reporter is so minded however, the Council would be agreeable to an additional "offshore renewables" caption being added to the map north of Gills Harbour.

Paragraph 10 - Growing Communities

The support of Scottish Water is noted.

Paragraph 13 Environment and Heritage

The outcome for Employment mentions various kinds of tourism that are important to Caithness and Sutherland. Each outcome (and part of the strategy) should not be read in isolation, they are intended to be read as a whole, together with the rest of the plan. No modification is proposed by the Council.

Reporter's conclusions:

1. The Strategy and Policies section of the Plan sets out the Spatial Strategy for the Plan area, which aims to address the priorities for the area through the Vision's 4 key outcomes for growing communities, employment, connectivity and transport, and environment and heritage. It stresses that it is important to read the Plan as a whole, and points out that the Strategy Map does not attempt to identify all development opportunities. The section sets out the strategy's main spatial elements, with more detailed policies and proposals being contained in later sections of the Plan. The Plan also indicates that the Highland-wide Local Development Plan (HwLDP) provides a number of policies addressing priority issues, and that the Spatial Strategy for the Plan seeks to reflect these at a local level.

Strategy General

2. Regarding the concern expressed about a lack of due diligence in preparing the Plan, I note that its strategy, policies and proposals are properly based on, and take into account, the findings of a number of relevant information sources, including previous plans, the conclusions of the Thurso and Wick Charrettes, the Housing Need and Demand Assessment, the Plan's Monitoring Report (and its addendum), the Main Issues Report, the Strategic Environmental Assessment (including the revised Environmental Report [and its Addendum]), the Habitats Regulations Appraisal, national policy, and consultation and community engagement responses. Representations made to the Plan have also been considered at an examination. The delivery of the projects and proposals in the Plan is not entirely within the control of the planning authority. However, it has prepared a supporting Action Plan to help bring development forward. In the circumstances I am satisfied that the general process followed by the planning authority in preparing the Plan appears appropriate, reasonable and thorough.

3. I note the Crofting Commission's broad support for the Plan. It also wishes to see continuing recognition of crofting's social, economic and cultural significance, along with the capacity for appropriate and feasible development. The main policy framework for crofting is provided in the Highland-wide Local Development Plan (HwLDP), which is currently being reviewed. The representation requires no change to be made to the Plan.

4. One representor is concerned about a lack of explicit encouragement and support in the Plan for renewable energy development particularly onshore wind, including in the Area of Energy Business Expansion and the grey coloured area on the Strategy Map. However, the Plan will only be part of the Development Plan. The other parts of the Development Plan will comprise HwLDP and Supplementary Guidance (SG). While the Plan acknowledges the important role that renewable energy generation and onshore wind energy have in the area (such as at paragraphs 51, 79 and 81), the opportunities for onshore wind in the Plan area are set out in the Spatial Framework in the Onshore Wind Energy Supplementary Guidance (SG), and the policy against which on shore wind proposals are assessed is contained in HwLDP (policy 67: Renewable Energy Developments). The Spatial Framework shows that there are opportunities for such developments in both the Area For Energy Business Expansion and the grey area on the Strategy Map.

5. Although I therefore do not consider that references are required in this section of the Plan to onshore wind energy, I agree that there is a lack of clarity in the Plan about the type of development that the Area for Energy Business Expansion would support. This is because the definition applied to this area in the Glossary and paragraph 11 of the Plan refers to maximising opportunities arising from the energy sector, but the remainder of the definition and the employment section of the Plan (paragraph 52) indicate that there is a focus in this area on marine renewable energy generation. It appears that the area identified (it is not an allocation) on the Strategy Map is intended to reflect the terms of National Planning Framework 3, which identifies North Caithness as an Area of Co-ordinated Action for marine renewable energy development. In the circumstances, and as the planning authority suggests, I believe that the definition would be improved and clarified by removing the general reference in it to the energy sector and replacing it with the more specific and accurate term – offshore renewables and oil and gas. Overall, adjustments are required to the Plan, as set out below.

6. I do not agree that further guidance is required on the form of development allowed in the grey area on the Strategy Map. The map is diagrammatic in nature, and its focus is on outlining the broad extent of the main spatial elements of the strategy as identified at paragraphs 10-13 of the Plan. The grey area represents a part of the wider countryside. Some of the designations identified on the map overlay the other parts of the wider countryside. I believe that the Strategy Map clearly shows the spatial elements of the Plan's strategy at present. I am not persuaded that it would be appropriate to lose that clarity by adding further designations and/or explanatory text to the Plan. I am satisfied that adequate guidance on the Plan's approach to development proposals in the wider countryside and settlements is provided in the Growing Communities section of the Plan. Taking this together with the policy framework in HwLDP, I am satisfied that adequate guidance is provided on the form of development allowed in the grey area. More specifically, onshore wind energy proposals in the grey area would be dealt with on the basis of HwLDP Policy 67 and its associated SG.

<u>Paragraphs 6 and 11</u>

7. I agree that ports have an important role to play in the Plan area's growth over the Plan period, most notably in relation to the energy related sector. I believe that their importance is properly recognised in the more detailed sections of the Plan dealing with the Caithness and Sutherland settlements (particularly when account is taken of our recommendations). There is also recognition of the role of harbours and harbour related developments at the second and third bullet points of paragraph 11, which outline the

main spatial elements of the employment strategy (and which the representor supports). Moreover, the Employment Outcome at paragraph 5 and page 15 of the Plan highlights the role of sea based industries in the area. In the circumstances, I am not persuaded that a further reference to ports is required at paragraph 6, particularly as this paragraph is only an introductory one which describes some of the characteristics of the Plan area. No adjustment to the Plan is therefore required.

Paragraph 7

8. Two representations express concern that paragraph 7 refers to new homes being required in the Plan area. I deal with housing land matters in more detail at Issue 03, where I have concluded that the housing supply target and housing land requirement support provision being made for new houses. In these circumstances, I do not consider that any adjustment is required to the terms of the paragraph.

Strategy Map

9. I note the support for identifying Ardgay and Edderton as Settlement Development Areas (SDA) and Rosehall as a Growing Settlement, and for including a reference to the tourism potential of Central Sutherland. I agree with the planning authority that it is unnecessary to change the way the National Cycle Route is shown on the Strategy Map to highlight it as a sustainable/green travel tourism route. I am not convinced that this would add anything of significance to the Plan. I believe that it is sufficient that the Strategy Map refers to it, and that a reference to it is included in the last bullet point of paragraph 11, which sets out the main elements of the employment strategy. No adjustment is therefore required to the Plan.

10. One representor requests that the Offshore Renewables caption on the Strategy Map be moved further to the east. While I accept that offshore renewable energy development activity is currently further east then the existing caption on the map shows, it appears that its position is intended to reflect future aspirations for activity over the next 20 years. While I agree with the planning authority that the map is not intended to reflect only current activity, I believe that it would be helpful to users if such activity was acknowledged. I am satisfied that this can be achieved through the planning authority's proposal of adding an additional Offshore Renewables caption to the map above Gills Harbour. I also consider that having 2 captions on the map would serve to emphasise the importance of offshore renewables to the economy of the Plan area. An adjustment is required to the Plan, as set out below.

Paragraph 10

11. I note the representation from Scottish Water, which supports the approach outlined at paragraph 10 of the Plan. It raises no issues which require to be considered at this examination.

Paragraph 13

12. Two representors suggest that paragraph 13 should be promoting natural environment and adventure tourism, in addition to referring to tourism with a historic environment focus. I note that the Employment Outcome at paragraph 5 and page 15 of the Plan highlights a tourist industry that combines culture, history and adventure, and at Issue 1, we recommend that wildlife be added to this list. Furthermore, the Strategy Map

and paragraph 11 (last bullet point) promote and support a number of tourism initiatives, including the North Coast 500 and the National Cycle Network. Given that the Plan requires to be read as a whole, I am satisfied that it adequately recognises the importance of tourism to the Plan area. As it also sets outs a sufficient range of different types of tourism, which in broad terms cover the additions now sought to paragraph 13, I consider that no adjustment is required to the Plan.

Reporter's recommendations:

I recommend that the following modifications be made:

Strategy General

1. Under the Strategy and Policies section, page 4, adjust the 2nd bullet point in paragraph 11 by removing the first clause up to (and including) energy sector, and replacing it with:

"Maximising opportunities arising from offshore renewables and oil and gas,…"

2. Under Appendix 2 – Glossary, page 124, adjust the definition for Area for Energy Business Expansion by removing the first clause up to (and including) energy sector, and replacing it with:

"…Area within which the Plan seeks to maximise opportunities arising from offshore renewables and oil and gas,…"

3. Under the Strategy and Policies section, page 3, place on the Strategy Map an additional "Offshore Renewables" caption to the north of Gills Harbour.

Issue 3	**Growing Communities**	
Development plan reference:	Growing Communities section (MPP pages 6 - 14)	**Reporter:** Dilwyn Thomas

Body or person(s) submitting a representation raising the issue (including reference number):

Proposed Plan
Amelia Walker (931321)
Balnagown Castle Properties (968666)
Bill Badger (967160)
Bower Community Council (979712)
Caithness Chamber of Commerce (983321)
David Doohan (980228)
Guy Newson (978598)
Ian Walker (979716)
Jacqueline Ridgley (930800)
Kenneth Nicol (977530)
Laid Grazings and Community Committee (978867)
RSPB Scotland (956544)
Scotia Homes Ltd (909099)
Scottish Government (963027)
Scottish Natural Heritage (909933)
Scrabster Harbour Trust (980302)
Sportscotland (933432)

Modified Proposed Plan
Creich Community Council (MPP1031346)
Kenneth Nicol (MPP977530)

Provision of the development plan to which the issue relates:	Growing Communities section (paragraphs 15 to 49), including Policy 1: Town Centres First and supporting text, Policy 2: Delivering Development and supporting text, Policy 3: Growing Settlements and supporting text. ** Please note that this part of the Plan was subject to non notifiable modifications including removing a double negative in paragraph 20 and a slight amendment to the Housing Supply Table.*

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

Growing Communities – General

Laid Grazings and Community Committee (978867) - Would like Laid identified as a Growing Settlement. There are plans to develop a distillery on the Laid Common Grazings which would create appropriate development and employment opportunities for the village.

Bower Community Council (979712) - Object to Bower not being included as either an SDA or a Growing Settlement. Would dispute that there has been little development in

Bower since 2002 - there is a thriving farming community, a Primary School almost at full capacity, a well used community centre, local businesses have expanded and new businesses are planned.

Sportscotland (933432) - We have endeavoured to identify, using aerial imagery where available, those sites proposed for allocation where it is likely that we will be a statutory consultee if they become the subject of a planning application, i.e. sites which appear to contain or impact upon Outdoor Sports Facilities as defined in the Development Management Regulations 2013. We have found there to be only two of such sites - Dornoch DN05 and Lybster LY03. Sportscotland is satisfied that their interests in DN05 have been taken account of. A separate comment has been made against Lybster. In the event that Sportscotland has failed to identify any other such site, the consultation requirements of the Development Management Regulations will still apply, and, where we are consulted, we will consider proposals against the provisions of Scottish Planning Policy paragraph 226.

Ian Walker (979716) - This has the potential to open the door to anything.

Bill Badger (967160) - Supports the idea of “socially inclusive communities”. Supports the text in paragraph 24 about managing growth in and around existing settlements. Supports the checklist approach set out in paragraph 34.

Wider Countryside

Creich Community Council (MPP1031346) - Creich Community Council believes that Spinningdale should not form part of the Tain Hinterland. It is over 10 miles away and not subject to any great demand for housing. Development in this area should be encouraged and not be subject to "a more restrictive approach". The boundary should lie somewhere to the east of Larachan and not contain any of Creich parish.

Housing Land Supply

Scotia Homes Ltd (909099) - The strategy of the Plan to direct new development to places which can support community facilities and services that local people regularly use is supported. Scotia Homes Ltd is a willing partner in the delivery of this strategy and would support a generous housing land supply in the Caithness Housing Market Area (HMA) to provide flexibility and choice, in accordance with Scottish Planning Policy (SPP), 2014.

We support the additional flexibility allowance of 20%, added to the number of houses identified in the Housing Need and Demand Assessment (HNDA), which is consistent with national policy contained in paragraph 116 of SPP. The objective of this national policy is to “order to ensure that a generous supply of land for housing is provided” and we are therefore disappointed that this objective is undermined by then removing 20%, to take account of 'windfall' housing development. Paragraph 117 of SPP states that “Any assessment of the expected contribution to the housing land requirement from windfall sites must be realistic and based on clear evidence of past completions and sound assumptions about likely future trends.” Paragraph 19 of the CaSPlan identifies that the housing supply target for Caithness and Sutherland is informed by a range of factors including the Monitoring Statement and in particular the Addendum: Housing Background Paper and the Council's HNDA, however, neither of these papers appear to provide an analysis of windfall sites.

In the apparent absence of an analysis of the contribution of windfall sites in the background papers to the Proposed CaSPlan, Scotia Homes would support the conclusions of Table 4-4 of the Addendum: Housing Background Paper on the HLR, which is provided below. The table identifies the following HLR taking into account allowances for ineffective stock and flexibility/market choice:

Housing Market Area	2016-2020	2021-2025	2026-2030	2031-2035	20 Year Total	
Caithness	325	250	92	0	636	(*667)
Sutherland	291	251	148	43	731	(*733)
CaSPlan Area	616	501	240	43	1,368	
Source: Highland Council Housing Need and Demand Assessment 2015						

Note* - Scotia Homes would query whether the 20 Year Total Figure is correct and have inserted an amended figure in brackets.

It is noted that the Addendum: Housing Background Paper projects the HLR from 2016 and it is considered that the CaSPlan HLR in paragraph 20 should be updated from 2015 to 2016 to reflect the updated information.

By adopting the position of Table 4-4 above, the HLR for Caithness HMA increases from 270 to 325 up to 2020, and from 260 to 342 from 2021-2035. The total increase in the HLR over the 20-year period would be 137 units, taking into account the correction highlighted in red. The inclusion of Table 4-4 in the CaSPlan would result in a total 20-year HLR (as corrected) of 1,400 units compared to the 1,140 housing land supply target currently aspired to in the Plan in paragraph 20.

Paragraph 22 of the Plan concludes that the supply of 1,498 units is generous compared to the target and identifies why it is important to have such a generous margin. Scotia Homes Ltd supports these reasons for having a generous HLS, but considers that if the HLR of 1,400 units is accepted, the HLS of 1,498 is less than generous, with only 98 units more than the HLR being available.

Scotia Homes Ltd would therefore support an increase in the HLR and HLS and the allocation of further housing land within the CaSPlan period. Within this context, Scotia Homes Ltd has also submitted separate site-specific representations on land in their ownership and control at Castletown which support bringing forward further land at Castletown into the first 10-year period of this CaSPlan to augment the HLS and meet a more realistic HLR, which can fulfill the stated vision and land use strategy of the LDP.

Scotia Homes Ltd supports the identification of Castletown as a Settlement Development Area (SDA), and the principle for identifying allocations for development within its boundaries. In addition, the commitment that other small-scale infill developments may also be suitable within the SDA boundary is also supported.

Kenneth Nicol (977530) and Jacqueline Ridgley (930800) - Paragraph 19 states that 530 houses will be required in Caithness. The basis for this would suggest an increase above the current population. Given lower rate of renewable development, the need for this is probably too high. As all the current future development for offshore wind is for Wick, emphasis should be on housing development in the Wick area to support this industry and reduce the need for people to commute, which would align with paragraph 24. Significant housing development in Thurso is not required given the decommissioning of Dounreay, decline of oil and gas sector and little prospect of significant new industry. Paragraph 22

states that many larger housing sites in Caithness have either stopped or progressing slowly therefore why allocate land for three times the anticipated demand. There is a significant risk of developers putting in infrastructure for housing which does not materialise.

Kenneth Nicol (MPP977530) - Respondent followed up on similar issues raised at the Proposed Plan stage by querying the justifications for the level of housing land allocated and asserted that new development should be directed more towards Wick rather than Thurso. The slight amendments to the representation are primarily: to specify that less housing would be required in the area due to an ageing population; and, in respect of the table of housing requirements in CaSPlan, to refer to the version in the Modified Proposed Plan rather than the version in the Proposed Plan.

Ian Walker (979716), Amelia Walker (931321), David Doohan (980228) - The Housing Needs and Demand Assessment shows that there is no demand for the volume of houses stated in the plan. In Thurso there are already enough areas to adequately provide for housing requirements. There needs to be a hard view taken to supply affordable housing or low rent housing.

David Doohan (980228) - There is a shortage of land for affordable housing and some of this can be placed in the area where the Viewfirth Building once stood (TS11). This area could be gifted to a Housing Association and progressed.

Scottish Government (963027) - Paragraph 21 of the Proposed Plan refers to the total Housing Supply Target (HST) for the Caithness and Sutherland area (1,140), but the terminology is not clear in the table below Paragraph 22 (page 6) of the Proposed Plan. The table should be amended to include the heading 'Housing Supply Target 2015-2020 and 2015-2035'. Paragraph 24 of the Proposed Plan states that a generous housing land supply has been included in the plan, and that the 'total land allocated' for housing is 1,498. This appears to be the total 'Housing Land Requirement' (HLR) for the Caithness and Sutherland Area, but this is not clear. The wording 'total land allocated' should be amended in Paragraph 24 of the Proposed Plan to 'Housing Land Requirement' to reflect the established terminology used in Scottish Planning Policy. In addition to this, the table on page 6 of the Proposed Plan should be amended to include an additional column on the Housing Land Requirement for the periods 2015-2020 and 2015-2035. Table 4 of the recently published Draft Planning Delivery Advice: Housing and Infrastructure provides guidance on how the key aspects of housing figures (HST and HLR) should be presented in Local Development Plans (outwith city regions).

It appears that a generous margin of 31.4% (358 homes) has been added to the HST (1140) to arrive at a HLR of 1498 homes. However, this is not clearly explained within Paragraph 24. The reasoning for choosing this level of generosity should be clearly explained in the Proposed Plan. Paragraph 116 of SPP requires that a robust explanation should be provided.

Scrabster Harbour Trust (980302) - Remove the double negative in paragraph 20.

Policy 1: Town Centres First

Ian Walker (979716) - Supports the policy as long as the processes are adhered to when considering a planning application which is contrary to the policy, including adverse impact on the vitality and viability of the centre, sequential approach, brown field before green

field sites, unused/derelict buildings are considered and that all necessary assessments have been carried out.

David Doohan (980228) - This policy has been largely ignored over the past decades as many developments have been allowed on the periphery of towns. The multi purpose developments have led to the destruction of town centres and the closure of small family owned businesses. There will be no improvement until this policy is adhered to.

Amelia Walker (931321) - Generally supports the policy. However in small places like Thurso, large developments can crush the local environment and only attract jobs from other businesses. It is not advisable to build these developments just for the sake of land value gain.

Scottish Government (963027) - There does not appear to be reference to town centre strategies within the Proposed CaSPlan, or its proposed Action Programme. Scottish Planning Policy (SPP) (paragraphs 64- 65) expects Local authorities, working with community planning partners, businesses and community groups as appropriate, to prepare a town centre health check. Following that, town centre strategies should be developed to deliver improvements to the town centre. SPP states (in paragraph 66) that the spatial elements of town centre strategies should be included in the development plan or supplementary guidance. We would wish to see the inclusion of a 'hook' or 'connection' in the development plan, to allow the spatial elements of the town centre strategies to be developed into supplementary guidance as and when they are prepared. This will allow the spatial elements of the eventual town centre strategies to gain the formal status of being part of the development plan as envisaged in SPP. The Scottish Government would also like to see commitment in the Action Programme that the Council will, in line with SPP, progress the development of town centre health checks and strategies. Would like the following modifications:

- Amend the plan to provide a suitable statement to set out that, following the preparation of town centre health checks, town centre strategies will be prepared to deliver improvements to the town centres, and that Supplementary Guidance will be brought forward to cover the spatial elements of town centre strategies. - This statement should provide a suitable connection between the LDP and the supplementary guidance, as required by Regulation 27 of The Town and Country Planning (Development Planning) (Scotland) Regulations 2008. - It would be appropriate to include this statement with paragraphs 36 or 37 on town centres.
- Insert into the Action Programme a new action setting out that the Council will carry out town centre health checks and develop town centre strategies and Supplementary Guidance.

Caithness Chamber of Commerce (983321) - Welcomes the policy and that the Plan recognises the importance of town centres. Is supportive of the following:

- Encouraging developers to first look at opportunities to regenerate town centres through redevelopment or reuse of existing buildings
- Considering the potential impact on the viability and vitality of a town centre when considering new developments
- Recognition that a "flexible and realistic approach" will need to be taken here – it is important to strike a balance between protecting and regenerating town centres and discouraging investment in the area due to excessive red tape

However, concerned about the conversion of redundant retail space to residential use. The caveat that the property must have been “marketed for its existing use at a reasonable price/rent without success for a minimum period of 12 months” is welcomed but concerned that outright conversion of retail space (particularly to residential use) is likely to impact on potential future business growth within town centres. Would like the policy modified to encourage community, charitable or cultural usage of vacant retail space, with conversion to residential use considered as a last resort.

Policy 2: Delivering Development

SNH (909933) - Masterplanning can be a useful tool to achieve sustainable development. However it would be useful to specify what is meant by “larger sites” to provide clarity for which sites are likely to require masterplanning.

Scotia Homes Ltd (909099) - The flexibility provided in paragraphs 40 and 41 is supported. Would like the last sentence of the policy 2 modified to read, “However, sites identified in the Plan as "Long Term" *will be* invited for development within this Plan period ~~and~~ *where* allocated sites *within Settlement Development Areas are developed*.”

Ian Walker (979716) - The statement in paragraph 41 about how indicative site capacities have been calculated shows that the figures from the HNDA have been ignored.

David Doohan (980228) - A more constructive approach should be explored to try and place large developments on appropriate sites as the positioning of sites in areas where they should not really be, seems to prevail.

Amelia Walker (931321) - Development should be directed to partially developed sites and vacant properties and green field sites should not be allocated.

Caithness Chamber of Commerce (983321) - Welcomes development in Caithness but it must be done sensitively so that new developments do not have negative impacts on existing businesses.

Bill Badger (967160) - Supports the policy.

Policy 3: Growing Settlements

Balnagown Castle Properties (968666) - Supports the wording of policy with the exception of the final bullet point which is vague and lacks clarity. If the words “public view point/vista” or “open space” are to be used in the policy then they require a definition. When dealing with “open space” now that the “right to roam” is a well-known and used feature in our society more and more of Scotland’s countryside is being considered as open space and so we prefer to see this identified as “designated open space”. However objects to the inclusion of the policy in this LDP as it is supposed to be a land allocation document and not deal with or duplicate policy issues in the Highland-wide Local Development Plan.

SNH (909933) - For clarity and ease of use, it would be useful for the policy to list the settlements intended to be covered by the policy. Recommend amending the wording slightly in the final bullet point, to recognise natural heritage features and to better reflect the international and national importance of some natural heritage features in proximity to some of the settlements, “…would not result in an adverse impact on any other important

heritage feature (natural or built), important public viewpoints/vista or open space". This would ensure natural heritage interests are taken into account and any potential impacts appropriately addressed.
RSPB Scotland (956544) - Broadly supportive of the policy but would like to see the following amendments:

- Include an explicit commitment to the protection of the natural environment and biodiversity. SPP states at paragraph 77 that in remote and fragile areas, the emphasis should be on maintaining and growing communities by encouraging development that provides suitable sustainable economic activity, while "preserving important environmental assets such as landscape and wildlife habitats that underpin continuing tourism visits and quality of place."
- Bullet point 6 should read, "would not result in an adverse impact on any important natural or built heritage feature, important public viewpoint/vista or open space." This policy refers to "locally important heritage feature" but it should be made clear that it refers to both built and natural heritage. It should also seek to protect all natural heritage features of importance, not just ones of local importance.

Guy Newson (978598) - Need to be more specific about the areas where new build is permitted. There is a tendency to allow houses to be built as infill in otherwise green areas and usually this has been manipulated in the planning application to look like in-fill for a group of houses. Murkle is a prime example. Developers should be asked to do environmental impact assessments on flora and fauna.

Ian Walker (979716), David Doohan (980228) - In broad terms supports the policy especially bullet points 5 and 6.

Amelia Walker (931321) - Supports the policy. The protection of scenic views should take precedence over inappropriate development on green field sites.

Caithness Chamber of Commerce (983321) - A flexible and realistic approach is required so that investment is not discouraged.

Bill Badger (967160) - Supports the policy.

Modifications sought by those submitting representations:

<u>Growing Settlements</u>

Laid Grazings and Community Committee (978867) - Add Laid as a Growing Settlement.

Bower Community Council (979712) - Add Bower as either an SDA or a Growing Settlement.

<u>Housing Land Supply</u>

Scotia Homes Ltd (909099) - Increase in the housing land requirement figure and the housing land supply target.

Ian Walker (979716), Amelia Walker (931321), David Doohan (980228), Kenneth Nicol (977530 and MPP977530) and Jacqueline Ridgley (930800) - Reduction in the overall housing land supply target.

Scottish Government (963027) - Amend the heading of the table on page 6 to 'Housing Supply Target 2015-2020 and 2015-2035'.

Replace wording 'total land allocated' with 'Housing Land Requirement'.

Include an additional column the table on page 6 on the Housing Land Requirement for the periods 2015-2020 and 2015-2035.

The reasoning for choosing this level of generosity should be clearly explained in the Plan.

Scrabster Harbour Trust (980302) - Remove the double negative in paragraph 20.

Wider Countryside

Creich Community Council (MPP1031346) - Alter the Tain Hinterland boundary by removing Spinningdale and redrawing the boundary to the east of Larachan.

Policy 1: Town Centres First

Scottish Government (963027) - Amend the plan to provide a suitable statement to set out that, following the preparation of town centre health checks, town centre strategies will be prepared to deliver improvements to the town centres, and that Supplementary Guidance will be brought forward to cover the spatial elements of town centre strategies. - This statement should provide a suitable connection between the LDP and the supplementary guidance, as required by Regulation 27 of The Town and Country Planning (Development Planning) (Scotland) Regulations 2008. - It would be appropriate to include this statement with paragraphs 36 or 37 on town centres.

Insert into the Action Programme a new action setting out that the Council will carry out town centre health checks and develop town centre strategies and Supplementary Guidance.

Caithness Chamber of Commerce (983321) - Policy modified to encourage community, charitable or cultural usage of vacant retail space, with conversion to residential use considered as a last resort.

Policy 2: Delivering Development

SNH (909933) - Specify what is meant by “larger sites” to provide clarity for which sites are likely to require masterplanning.

Scotia Homes Ltd (909099) - Change the last sentence of policy 2 to read, “However, sites identified in the Plan as "Long Term" *will be* invited for development within this Plan period *where* allocated sites *within Settlement Development Areas are developed*.”

Policy 3: Growing Settlements

Balnagown Castle Properties (968666) - If the words “public view point/vista” or “open space” are to be used in the policy then they require a definition. When dealing with “open space” now that the “right to roam” is a well-known and used feature in our society more and more of Scotland’s countryside is being considered as open space and so we prefer to see this identified as “designated open space”.

SNH (909933) - The policy should list the settlements intended to be covered by the policy.

Amend the wording slightly in the final bullet point to "…would not result in an adverse impact on any other important heritage feature (natural or built), important public viewpoints/vista or open space".

RSPB Scotland (956544) - Include an explicit commitment to the protection of the natural environment and biodiversity.

Bullet point 6 should read, "would not result in an adverse impact on any important natural or built heritage feature, important public viewpoint/vista or open space."

Guy Newson (978598) - Need to be more specific about the areas where new build is permitted.

Summary of responses (including reasons) by planning authority:

Growing Settlements

Laid

As part of the preparation of the Main Issues Report (MIR) (CD04) and the emerging Growing Settlements Policy an assessment was made of potentially suitable settlements which would be identified as Growing Settlements. This looked at features such as the range of existing facilities, settlement pattern and levels of development pressure. It is recognised that Laid is an established community. However, the settlement has limited facilities and is dispersed along the A838. Moreover there has been limited development in the area during the lifetime of the Sutherland Local Plan (CD16). Therefore it is considered that general policies are sufficient to guide future development, including the potential for a community-owned distillery and provide a more flexible approach.

Bower

As part of the preparation of the MIR (CD04) and the emerging Growing Settlements Policy an assessment was made of potentially suitable settlements which would be identified as Growing Settlements. This looked at features such as the range of existing facilities, settlement pattern and levels of development pressure. It is recognised that Bower has community facilities, including a primary school and church and that there are two major employers in the area. However, the settlement is dispersed across a wide area and there has been very limited development in Bower since the existing Caithness Local Plan (CD17) was adopted in 2002. As a result it was considered that general policies would be sufficient to guide future development as it would provide a more flexible approach.

Canisbay

As part of the preparation of the MIR (CD04) and the emerging Growing Settlements Policy an assessment was made of potentially suitable settlements which would be identified as Growing Settlements. This looked at features such as the range of existing facilities, settlement pattern and levels of development pressure. It is recognised that Canisbay has community facilities, including a primary school, church, post office and

medical centre. However, the settlement is dispersed across a wide area and there has been very limited development in Canisbay itself since the existing Caithness Local Plan (CD17) was adopted in 2002. As a result it was considered that general policies would be sufficient to guide future development as it would provide a more flexible approach.

Wider Countryside

The Hinterland boundary and associated Housing in the Countryside policy were developed in the Highland Structure Plan 2001, using policy context in National Planning Policy Guidance 3: Land for Housing and National Planning Policy Guidance 15: Rural Development. This represented a response to increasing pressure on rural areas around towns for commuter housing. This applied not only to pressures around Inverness but also the larger towns across the Highland area including Tain. The boundaries reflected: levels of development pressure, travel to work patterns, social and economic fragility, physical features, landscape, and settlement distribution.

As currently found in Policy 35 of the Highland-wide Local Development Plan (HwLDP) (CD18) there is a presumption against housing in the open countryside of hinterlands around towns, apart from a list of exceptions. It is assumed that the Community Council see this policy as being too restrictive and would like any proposed HwLDP - Development in the Wider Countryside - which takes a more permissive approach to housing (compared to hinterland areas), subject to proposals according with other policies in the plan.

In the area around Spinningdale, the level of pressure from planning applications and pre-application advice is low. The Council does not know and it would be difficult to determine whether this is because the hinterland policy is working effectively and is discouraging people from applying for planning permission (or making formal pre-application enquiries) for general needs housing or if there is just little demand for such housing within the locality.

The MIR (CD04) indicated a preferred option of not proposing any changes to the hinterland. There was support received for this, saying it would help avoid inappropriate development in the countryside around Dornoch. There were no comments received about the area around Spinningdale. There has been no clear evidence provided during the preparation of the plan indicating that the hinterland boundary and consequently the policy approach applied in any given area, is inappropriate.

However, if the Reporter were so minded, the Council would be content for the area covered by Creich Community Council at Spinningdale to be excluded from the Hinterland boundary. Land covered by Creich Community Council west of Acharry Moor would however remain within the Hinterland. A less restrictive approach may enable a greater range of housing proposals to be supported which could help strengthen the local community. Effective development management could still be applied by using other existing plan policies, which would ensure that inappropriate development was not allowed.

Housing Land Supply

There are a number of comments about the Plan's housing land provisions:

- Seeking clearer explanation of it;
- Indicating that too much housing land is being identified;

- Challenging the figures and the windfall assumption and suggesting that greater housing land provision is required.

The Proposed Plan included the following table:

Proposed Plan – Table (page 6):

Housing Market Area	2015 - 2020			2015 – 2035		
	Affordable	Market	Total	Affordable	Market	*Total*
Caithness	138	132	270	272	258	*530*
Sutherland	140	104	244	348	262	*610*
Total (high scenario)	*278*	*236*	*514*	*620*	*520*	*1140*

In response to comments received seeking clearer explanation of the Plan's housing land provisions, the Council made slight amendments to the Housing Land Requirements table on page 7 as non-notifiable modifications as follows:

- Correct the year "2015" to "2016" – this amendment has no effect on the housing numbers presented but expresses the time period covered correctly;
- Include the term "Housing Supply Target" in the table, being the number of homes that need to be able to be delivered;
- Include the "Housing Land Requirement" figures, being the Housing Supply Target + 20% flexibility allowance. The addition of the allowance of 20% to the Housing Supply Target to provide the Housing Land Requirement ensures some generosity of housing land supply. A 20% flexibility allowance was applied and described in the Proposed Plan (CD03) and in the Housing Background Paper (CD11) but was not shown in the table in the Proposed Plan (as above).

Recommended modified version of Table:

Housing Market Area	2016 – 2020				2016 – 2035			
	Housing Supply Target			Housing Land Requirement*	Housing Supply Target			Housing Land Requirement*
	Affordable	Market	Total	Total	Affordable	Market	*Total*	*Total*
Caithness	138	132	270	324	*272*	258	*530*	*636*
Sutherland	140	104	244	293	348	262	*610*	*732*
Total (high scenario)	*278*	*236*	*514*	*617*	*620*	*520*	*1140*	*1368*

* Housing Land Requirement = Housing Supply Target + 20% flexibility allowance

Given that clearer explanation, with regard to the comments challenging the figures and the windfall assumption and suggesting that greater housing land provision is required the Council responds as follows.

The 20-year Housing Land Requirement of 1368 (Caithness 636 and Sutherland 732) is met by the Plan, in total and for each Housing Market Area. Based on the indicative housing capacities for housing allocations and mixed use allocations, the site allocations of the Plan are sufficient to accommodate 1498 homes (Caithness 770 and Sutherland 728).

It should be noted that the Council expects that some homes will be built on other, non-allocated sites known as 'windfall' sites. As indicated in the Plan (paragraph 20) the windfall rate has been assumed at 20%, taking into account past trends and providing certainty over supply. The Monitoring Statement (CD06) (section 7.1) indicates that, out of 2111 completions from 2000 to September 2013, 63% of all completions were effectively windfall. It also showed that the windfall rate varied across the Plan area. The majority of completions in Thurso and Wick were on allocated sites (74% and 62% respectively) and a significant proportion was on non-allocated land within Settlement Development Areas (SDAs). This shows that the majority of development has been in broadly sustainable locations including some which has been shown as windfall. The position in other settlements was variable with no particular trends with the size or location of settlement. There is now a renewed focus on tightening up housing development in the countryside. A new approach is being considered as part of the HwLDP review (CD15).

The Plan is supportive of some continuing housing development in appropriate locations outwith housing and mixed use allocations but it would be inappropriate to assume windfall development would continue at such a high level. Also, the Plan is seeking to provide some certainty over supply and this is facilitated by the identification and allocation of specific sites that are to accommodate new homes.

For these reasons it is considered that the assumed windfall rate of 20% is reasonable and that there is sufficient housing land identified within the Plan to ensure generous supply. If 20% of the Housing Supply Target were met by windfall developments, the windfall completions over the 20-year period would be 228 (Caithness 106 and Sutherland 122).

The Council would be agreeable for additional explanation to be added to the Plan, based on the above explanation and the Council's publications.

It is agreed at Proposed Plan stage that in paragraph 20 (paragraph 22 in the Proposed Plan): "However, not all houses will not be built on allocated land" should be corrected to read "However, not all homes will be built on allocated land". As part of the preparation of the Modified Proposed Plan this was carried out as a non-notifiable modification. No further comments were made on the matter and the Council do not propose any further modifications.

With regard to affordable housing provision, the table above indicates the split of the Housing Supply Target between 'affordable' and 'market' homes. The HwLDP (CD18) contains affordable housing policy and our overall development plan policy framework provides the means for considering the merits of any particular proposals that come forward, be they sites allocated for housing development or not.

With regard to comments indicating that too much housing land is being identified, the Council is satisfied that the housing land provisions are appropriate and justified. The Housing Background Paper (CD11) explains that the Housing Supply Targets in the Plan are based on the Housing Need and Demand Assessment 2015 (HNDA 2015)(CD10) and the Highland-wide Local Development Plan Main Issues Report 2015 (HwLDP MIR 2015) (CD15). The HNDA 2015 was prepared in compliance with national guidance and, since the Housing Background Paper was prepared for CaSPlan, the parts of the HNDA 2015 that are within the scope of that guidance have been 'signed off' as robust and credible by the Centre for Housing Market Analysis. Those parts of the HNDA 2015 form the basis for a further scenario set out in the HNDA 2015 and described in the HwLDP MIR 2015 as the

'high' scenario. Importantly that further scenario provides for 'continued growth' and is the one chosen by the Council as appropriate for its Local Development Plans. The Housing Background Paper therefore indicates that the Plan uses the continued growth figures and that reasons in support of this approach are provided within the Council's documented response on the issue of "Housing needs in Caithness & Sutherland", following consultation on the CaSPlan Main Issues Report (Planning, Development and Infrastructure Committee, November 2015).

Therefore, in response to the comments that were received on the Proposed Plan, the Council would be agreeable to a summation of its reasons for using the continued growth scenario being provided in the Plan itself. The Council's reasons include the following:

- The Monitoring Statement (CD06) showed that despite an expected fall in the overall population over the coming 20 years, additional new houses will still be required to meet the demand from mainly a combination of falling household sizes and, in Sutherland, eradicating the backlog of need for affordable housing.
- Successive Council administrations, together with our Community Planning Partners, have been committed to achieving our economic potential. The principles are given in our administration programme Highland First(CD21) and our Single Outcome Agreement (CD20), which include a target of delivering 5,000 houses in Highland in the five years starting in 2012, 1,700 of these affordable. It is believed that the high scenario (continued growth) is most closely aligned to these objectives.
- The HNDA figures show 'high' and 'low' growth projections. The Council considers that for the Caithness and Sutherland LDP the high growth scenario projections are the most suitable as a basis for the continued growth scenario. This is due to the changing nature of the economy whereby several emerging growth industries have been identified. The waters around Caithness and north Sutherland have been shown to have around a quarter of Europe's offshore renewable energy generation potential. Although the onshore wind and hydro industry has been progressing over the past 10 years, there is also significant potential for offshore wind. Due to its relatively remote location there is also potential for large scale location-sensitive developments, e.g. the nuclear energy development at Dounreay has reshaped the economy over the past 60 years. The expected decline in the Dounreay workforce will also not drop off as soon as anticipated as the timescales for decommissioning reaching the Interim End State was recently extended to a date range of 2030-2033.
- There are some positive signs that the marine renewables sector is starting to take off and will play a significant role in the economic future of the area. This includes: MeyGen reaching Phase 1A of the construction of the world's largest tidal energy project with funding identified for Phase 1B; the final investment decision on SSE's £2.6b Beatrice offshore wind farm was approved in May 2016 and Wick were confirmed as the service base for the construction and maintenance stages; planning permission being granted for industrial plots and new access at the Enterprise Area at Scrabster Farm.
- The aim is also to continue to diversify the Caithness and North Sutherland economy. Growing the tourism industry is a key objective at a regional and national level. The tourism industry is also considered as being an underdeveloped asset which could generate significant numbers of jobs. Initiatives such as the North Coast 500 and Venture North are already helping to coordinate and promote the assets which exist across the north of Highland. Proposals such as those put forward by Wildland Ltd during the Main Issues Report consultation also show the potential for large scale leisure/tourism development in more rural areas.
- The growth of these sectors would bring new investment and job opportunities which

could have significant effects on retaining young people and reversing the population decline.

In further response to the comments about the generous housing land supply, the Council considers that there are several further reasons for taking a generous approach to the housing land provisions in the Plan:

- Firstly, there are a large number of brownfield sites in the plan area which the Council is keen to promote for redevelopment. This reflects both a key aim of CaSPlan and Scottish Planning Policy (CD01)which states that development plans should direct development to brownfield land before greenfield. There are many brownfield sites in Caithness and as they often hold prominent locations their redevelopment could have wide ranging positive impacts on the settlement. Elsewhere in the country such sites may be identified by a local authority for specific uses. However, as the regeneration of these sites is a priority the Council has been more flexible in the list of acceptable uses, including housing, to encourage redevelopment.
- In Wick, for example, planning permission exists for housing developments at Hill of Man (extant capacity of 55 houses), land south of Kennedy Terrace (extant capacity of 44 houses) and south of Carnaby Road (extant capacity of 23 houses) and north of Coghill Street (extant capacity of 45 houses), totalling approximately 167 houses. All of the remaining site allocations are brownfield sites within the town with a combined indicative capacity of 83 houses. (Figures are as reported to Planning, Development and Infrastructure Committee, November 2015.)
- In Thurso/Scrabster, very little of the allocated housing land is new to this Plan. The majority of the housing supply is associated with the long term strategy for the expansion of the settlement to the west which has formed a central part of the development plan for at least 13 years. The housing land forms part of wider expansion which includes the delivery of short term and long term strategic transport infrastructure improvements together with opening the area up for much needed business and other commercial uses. Due to the level of development and the infrastructure (e.g. distributor/relief road) and facilities (e.g. public park) the Plan requires a masterplan/development brief to be prepared. Prior to the economic downturn there was developer interest in the site and a planning application was consented in 2006 for the extended site at Pennyland including 400 houses, business space and contributions towards the bypass. Although this has since expired the site requires a strategic planning approach. Several other sites in Thurso are brownfield sites which offer redevelopment and regeneration opportunities such as the industrial sites at the river and former mart site.
- Many settlements of Sutherland are much more dispersed than elsewhere in Scotland. The settlements are also relatively small and so too is the level of growth forecast. However, it is essential that the key settlements are supported and strengthened to be more sustainable. As development is typically quite small scale, the housing land allocated needs to be flexible to ensure that areas which are constrained do not prohibit potential housing development. This helps ensure that housing demand is met and supports young people, families and elderly to remain in the area. Therefore, for more rural settlements the Plan is generous in the approach to housing land supply.

The Council therefore considers that overall a generous housing land supply is suitable and justified, but is mindful of the issue of ‘oversupply’. The Plan therefore avoids further increasing that supply, whilst also phasing larger sites and identifying some areas as longer term. This will leave the option open for future plan reviews to allocate the land if,

at that point, additional (or alternative) land is required. These sites are not allocations and development will not be supported on them unless and until a Plan review includes them as allocations. Nevertheless it is intended that the long term sites will help to provide greater transparency regarding the longer term growth of the area.

In addition and in response to comments on the Modified Proposed Plan the Council agreed the following response:

It is clear from paragraphs 15 to 23 of the Modified Proposed Plan on Housing Land Supply, and the associated background papers, that the 'ageing population' characteristic has been taken into account by the Council, concluding that new housing is required due to the continuing change in demographics. The housing supply target for Caithness for the period 2016-2035 remains at 530, not the figure quoted by the representor of 636 (which is the housing land requirement derived by adding a 20% flexibility allowance to the housing supply target). The remaining points raised by the representor are addressed by the previously agreed Council position on the issue. No changes to the Plan are required in response to the representation.

In conclusion, the Council considers that the housing land supply of the Plan (including its basis on a continued growth scenario, the flexibility allowance, the windfall assumption and the amount of land allocated) is appropriate but requires fuller, clearer explanation in the Plan itself, as outlined above.

Policy 1: Town Centres First

Support for the proposed policy is noted. The Town Centre First policy was only first introduced in Highland as part of the adopted Inner Moray Firth Local Development Plan (CD27) in 2015 to provide a new policy framework for encouraging the regeneration of our town centres. Policy 1 in CaSPlan provides a more refined and updated version. As set out in paragraph 39 of the Plan the review of the HwLDP provides an opportunity to introduce a single Highland-wide Town Centre First policy. Although the timescales for delivering the Proposed HwLDP have been put back until the end of 2017 it is important that CaSPlan continues to provide the policy framework until then.

Concerns regarding the impact large commercial developments can have on the town centre are noted. The Policy seeks to direct all significant footfall generating uses to the town centre. The sequential approach does not apply to established uses and land allocations. The Plan seeks to deliver the vision set out at the beginning of the document, which is about both providing for growth in a planned way and enhancing the local environment. The policy as shown in the Plan states that "If the Council considers that a proposal may result in an adverse impact on the vitality and viability of any defined town centre, the developer will be required to produce a retail impact assessment, tailored to reflect the scale and function of the town centre in question. The Council will only support proposals accompanied by competent assessments that demonstrate no significant adverse impacts." The Council recognises concerns about the impact which other uses may have on the town centre. In addition, the Council is minded to consider the response by the Scottish Government (January 2016) to the Main Issues Report (CD15) for the Highland-wide Local Development Plan review. The Scottish Government highlights Scottish Planning Policy (SPP) (CD01) paragraph 71 which indicates that development proposals, including retail, leisure, business and public buildings, which are outwith town centres should be thoroughly assessed and demonstrate that the impact on the existing town centre is acceptable. The Town Centre First Policy in the Plan sets out the need for

a sequential assessment to determine opportunities for regeneration. However, to ensure that applications for uses other than retail can be assessed for their impact on town centres a requirement for a town centre impact assessment could be imposed. As such, if the Reporter is so minded, the Council would be content with amending the Policy wording to: "…required to produce a retail or town centre impact assessment…"

Town centre strategies and health checks

Although there have been no recent formal 'town centre health checks' carried out in Caithness and Sutherland, other work has taken place. Charrettes (CD25) were carried out in Wick and Thurso in February 2013. One of the outcomes from Wick was a desire for regeneration in the heart of the town and in Thurso one of the outcomes was the desire to reinforce the town centre. The Dornoch Economic Masterplan (CD28) examined the key challenges to Dornoch's town centre and how these challenges could be addressed.

Preparing town centre health checks for each of the town centres across Highland would be a considerable undertaking. Whilst the Council are not minded to include a commitment to carry out health checks for each settlement centre, if the Reporter is so minded then the Council would be content to state in the Plan that town centre health checks and strategies may be produced as and when appropriate, and to include a flexible and non place specific commitment in the Action Programme (CD05).

The Council recognise that in some circumstances conversion from retail to residential is potentially detrimental to the vitality and vibrancy of the town centre. However, the condition for applicants to demonstrate that the property has been marketed for sale for at least 12 months is considered to be suitable. As a result the Council are not minded to make the modification to amend the wording of the policy in regard to this request.

The Caithness Chamber of Commerce comments relating to impact on existing businesses is noted.

The Council is minded to make several minor changes to the policy as set out in Plan. These include some grammatical corrections and amending the title to 'Policy 1: Town Centre First' on pages 10 and 11 for consistency within the Plan and with other local development plans which the Highland Council are currently preparing.

Policy 2: Delivering Development

The support for the policy is noted.

Policy

The size of sites that would require masterplanning and the "level" of masterplanning required will depend on the local context and circumstances of each site. Masterplanning requirements for a site need to be proportionate and reasonable. The Delivering Development Policy in the adopted Inner Moray Firth Local Development Plan (IMFLDP) (CD27) has the same requirement and does not provide a definition of what is considered to be 'larger sites'. The IMFLDP has been through Examination and was adopted in July 2015. No modification is proposed by the Council.

The suggested modification to the final sentence of the policy is not considered appropriate by the Council. It would significantly change the thrust of the policy as it

would indicate that Long Term sites are being invited for development during the lifetime of this Plan. The Plan is clear that sites allocated as Long Term are not intended to be developed during the lifetime of the Plan; they are intended to show the Council's likely preferred direction of growth beyond the period covered by this Local Development Plan. Paragraph 42 states that allocated sites are expected to be delivered before any long term sites can be considered. The housing supply provided by the allocated sites in the Plan is adequate for 20 years and Long Term sites are not included in these housing supply figures. The inclusion or removal of the sites will be considered at Plan reviews which are at least every five years. No modification is proposed by the Council.

Site Capacities

The support for the flexibility provided in paragraphs 40 and 41 is noted.

The concern about how indicative site capacities have been calculated is noted. However, paragraph 41 explains how the Council estimates capacity, in the interests of efficient use of land and to enable the Council to check, by adding up the indicative capacities, that the Council is providing sufficient supply in terms of the number of homes that could be accommodated.

General

The comment about large developments not being positioned on appropriate sites is noted. The Plan was prepared following the Call for Sites and Ideas and the Main Issues Report engagement, as well as the Wick and Thurso Charrettes. There has been input from various Council teams and by external bodies such as SEPA and SNH, so the site identification/allocation process has been given careful consideration. The Council considers that the Plan identifies the most appropriate sites.

The comment about directing development to partially developed sites and vacant properties and not allocating greenfield sites is noted. The Plan's Strategy, both overarching and at settlement level, provides for development opportunities on both. Inclusion of some green field opportunities for development is appropriate and is required in order to provide sufficient capacity and a range of effective sites.

The comment from the Caithness Chamber of Commerce is noted.

Policy 3: Growing Settlements

Support for the policy is noted. As set out in paragraph 49 of the Plan the review of the HwLDP provides an opportunity to introduce a single Highland-wide Growing Settlements policy. Although the timescales for delivering the Proposed HwLDP have been put back until the end of 2017 it is important that CaSPlan continues to provide the policy framework until then.

The suggestion that public viewpoints and vistas should be defined in the policy is not considered necessary as these aspects of a proposal will be considered on a case by case basis. Open space referred to in the policy is as defined in the Glossary of the plan. No modification is proposed by the Council.

It is not considered necessary to include the list of settlements to which the policy applies as suggested because it already refers to the list provided in the supporting text. No

modification is proposed by the Council.

The suggestion to amend the wording of the policy to specifically refer to natural heritage features is not considered necessary. It is implicit in the policy text that 'important heritage feature' may refer to any relevant natural or built heritage assets. Policy 57 of HwLDP (CD18) also sets out specifically how natural heritage features are safeguarded. Any relevant key national and international heritage features near a particular Growing Settlement were identified through the Strategic Environmental Assessment (SEA) process and feature in the Issues or Placemaking Priorities of the Growing Settlements. No modification is proposed by the Council.

The comment that development in Growing Settlements could impact upon open space or landscape and visual qualities of the settlement is noted. However, these issues are already addressed specifically in the criteria set out in the policy. No modification is proposed by the Council.

Where appropriate, relevant assessments required to safeguard heritage features will be undertaken as part of the development management process, and set out in HwLDP. No modification is proposed by the Council.

Reporter's conclusions:

Growing Communities - General

Laid

1. Laid is situated on the western bank of Loch Eriboll on the A838, between Tongue and Durness, in an attractive remote rural area. It is a very small community, which comprises a few houses, scattered for some distance along the main road, and a ceramic/sculpture studio. Laid Grazings and Community Committee seeks recognition of Laid as a Growing Settlement in the Plan, to go along with a distillery being proposed (Loch Eriboll Distillery) on the Laid Common Grazings on the western side of the A838 (see also Issue 26: Growing Settlements – Sutherland, which also deals with this matter).

2. Laid has little in the way of services, is small and scattered, and appears not to have had recent development pressures. It therefore lacks several of the features that would be expected of Growing Settlements. In the circumstances, I consider that its designation as a Growing Settlement could not be justified. I acknowledge that the proposed distillery would be in Laid, that it would be sited on the North Coast 500 tourist route, and that it would be a significant development, which could bring some economic benefits to a remote area, which is classified as fragile by Highland and Islands Enterprise. However, the proposal appears to be at an early stage of development and, on its own, it would not warrant designating Laid a Growing Settlement. I note that this would not prohibit new development in the area, and that a proposal outwith a Growing Settlement designation may be granted planning permission, if it satisfies the terms of relevant policies, such as HwLDP Policy 36: Development in the Countryside, and any future replacement policy. I believe that the merits of a proposed distillery at this location could best be tested by the submission of a planning application, which would allow a full assessment to be made of its impacts and benefits.

3. Overall, no adjustment is required to the Plan.

Bower

4. Bower is situated to the south east of Castletown, on the B876. It comprises several dispersed clusters of buildings, contains a primary school, a community centre, a church, businesses and housing, and has a bus service. Bower Community Council seeks the designation of Bower as either a Settlement Development Area or a growing settlement.

5. I accept that Bower provides a number of services. However, it is a small, spread out, rural community, with no obvious core or centre, and no clearly defined settlement edges. I therefore do not believe that Bower warrants designation as a Settlement Development Area. Similarly, and taking particular account of its dispersed nature and the apparent low level of recent development pressure, I consider that it lacks important features that would be expected of a Growing Settlement. In the circumstances, I believe that its designation as a Growing Settlement would also not be justified. I note that this would not prohibit new development in the area, and that proposals outwith Settlement Development Area and Growing Settlement designations may be granted planning permission if they satisfy the terms of relevant policies, such as HwLDP Policy 36: Development in the Countryside, and any future replacement policy.

6. Overall, no adjustment is required to the Plan.

Canisbay and other representations

7. The summary of responses by the planning authority for this Issue includes a response to representations seeking the designation of Canisbay as a Growing Settlement. Our conclusions on this matter are set out in Issue 15: Growing Settlements – Caithness, where the planning authority has fully set out and dealt with the relevant representations.

8. I do not agree that the Growing Communities section of the Plan has the potential to open the door to any development. Its purpose is to set out a general framework for guiding and managing development, including the approach taken to identifying an appropriate level of housing land. It has to be read alongside the more detailed proposals for the Settlement Development Areas and Growing Settlements, as contained in the sections of the Plan on Caithness Settlements and Sutherland Settlements, and the detailed policies for assessing development proposals as found e.g. in the Plan and HwLDP. Within this context, I consider that adequate guidance has been provided to allow a proper assessment to be made of the suitability of development proposals, and do not believe that an adjustment is required to the Plan.

9. One representation supported this part of the Plan, and raised no matters which require to be addressed at this examination. Another representation, from Sportscotland, referred to 2 sites in the Plan, at Dornoch (DN05) and Lybster (LY03). On DN05, the representation is generally concerned with development management consultation procedures, and no further consideration is required. For LY03, the representation refers to the effect of the adjacent golf course on the mixed uses proposed for the allocation. This matter is considered at Issue 09 Lybster.

Wider Countryside

10. Spinningdale is a small settlement lying on the northern side of the Dornoch Firth, on the A949, to the west of the A9 and Clashmore. It is on the western edge of the Tain

Hinterland designation, which applies a more restrictive approach to housing proposals than that found in the surrounding countryside. The hinterland area is shown on a map on page 9 of the Plan.

11. Creich Community Council seeks to remove Spinningdale from the Tain Hinterland designation, and to move its boundary somewhere to the east of Larachan, so that all of Creich Parish is omitted. In its response to this representation, the planning authority indicated that the area controlled by the community council at Spinningdale could be removed from the Tain Hinterland designation, but not the area to the west of Acharry Moor. In response to FIR 04, the planning authority submitted a map showing the boundaries of the area that it suggested could be removed from the hinterland, and the area that should be retained. The community council has had an opportunity to respond to the proposed change.

12. A hinterland designation is applied around larger towns in the Highland area, where the pressure for commuter based housing development is greatest. It aims to prevent the suburbanisation of the countryside and the breaching of service network capacities. The planning authority indicates that there is low development pressure at Spinningdale. I acknowledge that this may be because the hinterland designation itself is repressing any development pressures. However, I can find nothing in the evidence to suggest that excluding Spinningdale from the designation would be likely to result in unacceptable pressures and inappropriate development. I also find that Spinningdale is situated on the periphery of the hinterland, that it is scattered in nature, that it has a generally run down appearance, and that the local community could benefit from, and be strengthened by, some additional sensitively located and designed housing. I do not believe that a change in the boundary at this location would be likely to damage the integrity, or undermine the aims, of the designation. Drawing these matters together, I consider that it would be reasonable to remove Spinningdale from the hinterland designation.

13. Given that there is some uncertainty over the effects of excluding Spinningdale from the hinterland designation, I agree with the planning authority that not all of the area covered by Creich Community Council should be excluded. I accept that the most appropriate area to remove would be the area to the west of Larachan, which includes Spinningdale, and that the area to the north of this, and west of Acharry Moor, should be retained in the hinterland designation, all as shown on the map accompanying the planning authority's response to FIR 04. I also agree with the planning authority that it would be inappropriate to use a representation from Creich Community Council to justify removing from the hinterland designation areas covered by Dornoch Community Council, who have not objected to the designation.

14. Overall, an adjustment is required to the Plan.

Housing Land Supply

15. Scottish Planning Policy (SPP) sets out 3 policy principles for the planning system to enable the delivery of new homes. These include identifying a generous supply of land for each housing market area within the plan area, and having a sharp focus on the delivery of allocated sites embedded in action programmes. SPP continues that plans should set out the housing supply target for each functional housing market area based on evidence from the Housing Need and Demand Assessment (HNDA). The target is a policy view of the number of homes required. It explains that within the overall target, plans should indicate the number of new homes to be built over the plan period, and that this figure

should be increased by a margin of 10-20% to establish the housing land requirement. Any assessment of the expected contribution to the housing land requirement from windfall sites must be realistic and based on clear evidence of past completions and sound assumptions about likely trends. SPP also requires planning authorities to actively manage the housing land supply, preparing an annual housing land audit to critically review and monitor the availability of effective housing land and the progress of sites through the planning process (amongst other things).

16. The housing land supply is dealt with on pages 6 and 7 in the Growing Communities section of the Plan, which indicates that most new housing land is directed towards allocated sites in the main settlements. The Modified Proposed Plan identifies 2 housing market areas – Caithness and Sutherland – and 2 time periods – 2016-20 and 2016-35. The housing supply target is 1140 houses between 2016 and 2035 (530 in Caithness, and 610 in Sutherland). The target for 2016-20 is 514 houses (270 in Caithness, and 244 in Sutherland). The main difference between the Housing Land Supply sections of the Original Proposed Plan and the Modified Proposed Plan is that the housing land table has been altered in the latter to identify the housing land requirement, which is given as 1368 houses (636 in Caithness, and 732 in Sutherland) between 2016 and 2035, and 617 houses (324 in Caithness, 293 in Sutherland) between 2016 and 2020. The indicative capacity of the allocated housing sites (1498 houses) exceeds the housing land requirement. This is a reduction from the housing land requirement identified for Caithness and Sutherland in the 2012 HwLDP of 2072 houses between 2011 and 2031, which is mainly focused on the period 2011-21 (1586 houses).

17. Three further minor changes have also been made to the housing land section of the Original Proposed Plan: the start date for the time period in the housing land table is now 2016, not 2015; the housing supply target is now separately identified in the table; and a double negative from the second sentence of paragraph 22 has been removed. The planning authority has treated the changes as non-notifiable modifications. Changes in the table reflect the presentation recommended for such information in the Draft Planning Delivery Advice: Housing and Infrastructure. While the Scottish Government Chief Planner revoked this advice on 1 December 2017, I consider that the revised table proposed by the planning authority presents the housing land figures clearly in a way that is helpful to readers of the Modified Proposed Plan, and consistent with SPP.

18. In essence, some representations are concerned that too much housing land has been allocated in the Plan, and others are concerned that too little housing land has been allocated. Concern has also been expressed about the way in which the Plan deals with the housing supply target, the housing land requirement, and windfall development. In response to FIR 03, the planning authority provided more detailed explanations and information on the housing land figures in the Plan, on the amount of windfall and brownfield development in the Plan area, and on the delivery of housing sites, including the revisions it proposes to the text of the housing land supply section of the Plan. Representors have had an opportunity to comment on the response.

19. The 2015 HNDA underpins the housing figures in the Plan, and covers the whole of Highland Council's area. It shows that the Highland Council area is dependent on positive inward migration for population growth. The HNDA includes 3 migration scenarios used by the National Records of Scotland – low, principal, and high. The planning authority concluded that the high migration scenario should be used as the baseline for long term planning because it is likely to be the closest to future rates of growth. The high migration scenario would result in net inward migration of 1100 people per annum to the Highland

Council area (790 households), including 75 people per year to the Plan area. Insofar as these 3 scenarios are concerned, the Scottish Government's Centre for Housing Market Analysis has assessed the process and methodology used to produce the HNDA as robust and credible.

20. For the Plan area, the high migration scenario would give a population of 39981 people for 2015 and 37950 people for 2035, a decline of 2031 (5.1%). The population growth is lower than that projected under the 2010 HNDA because of a smaller net inward migration figure, an ageing population, and an increasing margin of deaths over births. Despite the projected decline in population, it is clear that some additional housing would be required over the Plan period because of reducing household sizes and the aim of eradicating the backlog of affordable housing need (predominantly in Sutherland). On the basis of the high migration scenario, the housing supply target for the 20 year Plan period would be a modest 713 houses (357 houses in Caithness, and 356 in Sutherland).

21. In devising its housing supply target for the Plan area, the planning authority has considered the projections under the high migration scenario in the 2015 HNDA and has also taken into account other factors, most notably the level of development that would be required to support continued economic growth in the Plan area (and Highland Council area). This approach has been taken because the scenarios used by the National Records of Scotland in the 2015 HNDA, including the high migration scenario, are based on a continuation of trends in the 5 years heading up to the mid 2012 base date, a period which was characterised by low growth. Indeed, across the Highland Council area, the projected annual increase in households is lower than the historic rate of house building. Given this, I am concerned that basing the Plan solely on the high migration scenario could potentially lead to a shortage of housing land, which could constrain economic growth in the Plan area. Even with the continued economic growth approach, less houses would be required than under the 2010 HNDA because the former would deliver only the historic rate of household growth over the first 10 years of the Plan period, recognising that this would be unlikely to continue into the longer term because of the ageing population.

22. In setting the housing supply target, I am satisfied that it was reasonable for the planning authority to take into account its objective of seeking continued economic growth. I also believe that it has been realistic in the assumptions that it has made. The housing supply target has been set at a level which should allow this remote, sparsely populated, rural area to take advantage of any appropriate economic development opportunities which emerge, including opportunities from the area's offshore renewable generation potential, and its tourism potential. Moreover, I accept that there could be potential in this area for various scales of location sensitive development, as the nuclear energy development at Dounreay over the past 60 years has demonstrated. I also note that the timescales for the decommissioning of the Dounreay facility, and for reaching its Interim End State, have now been extended until 2030-33, towards the end of the 20 year period covered by the Plan, which could delay the substantial decline of related jobs. Addressing the challenges of the decommissioning of Dounreay and realising the full economic potential of the area, would help in retaining the population, particularly the younger age groups, and would also help offset the problems that would arise from a declining and ageing population.

23. As the target is a policy view of the number of homes required, and the planning authority has properly explained the wider economic and social factors that it has taken into account, I am satisfied that the target set in the Plan has been properly justified. It

also appropriately takes into account provision of affordable housing, the policy for which is set out in HwLDP. I note that the housing supply target equates to an average of 57 house completions per annum between 2016 and 2035, and that the total annual level of completions in the Plan area between 2000 and 2016 have typically been well above this figure (mainly because of windfall development). Moreover, the total annual level of completions has also often exceeded the average annual housing supply target for the first 5 years of the Plan (2016-21).

24. In all the circumstances, I consider that a housing supply target taking account of the planning authority's objective of continued economic growth, reasonably balances the projections contained in the HNDA and the actual annual level of completions recently achieved. I therefore do not believe that the target set needs to change or that, in itself, it warrants either reducing or increasing the amount of housing land in the Plan. I believe that the Plan should provide an appropriate explanation of the housing supply target, including the factors taken into account in setting it. This would help users of the Plan understand the reasoning behind it. The planning authority's proposed revisions to the text of the Plan in relation to the target require amendments to make the wording and justification clearer, and to better reflect SPP.

25. The Plan obtains the housing land requirement by increasing the housing supply target figure by 20%, which is at the top end of the 10-20% margin given in SPP. This adds suitable flexibility to the housing land supply, and contributes to putting in place a generous supply. It also allows a sufficient range of housing development opportunities to be spread across the Settlement Development Areas identified in this large local development plan area. Furthermore, for several years between 2000 and 2016, the total annual level of house completions in the Plan area has been greater than the average annual housing land requirement for the period 2016-35. As such, I regard the percentage increase applied to the housing supply target figure by the planning authority to be acceptable, and do not believe that it should be reduced by applying a lower percentage figure in the range, which would only give an inappropriately smaller housing land requirement. The housing land table and text in the Modified Proposed Plan now appropriately identify the housing land requirement (as well as the housing supply target). While this is helpful, the requirement requires a fuller explanation in the Plan.

26. I agree with Scotia Homes Limited's representation regarding table 4-4 (Housing Land Requirement) in the January 2016 Monitoring Statement Addendum: Housing Background Paper, that the figures for each of the 4 time periods do not add up to the 20 year total. This table is important because it forms the basis for the Housing Land Table (housing supply target and housing land requirement) in the Plan. In response to FIR 03, the planning authority indicated that this is due to differing sources and calculation methods within the 2015 HNDA. While I am not entirely convinced by this explanation because, on the face of it, it seems to be only a matter of correctly adding up the figures already in the table, I am satisfied that the differences in the 20 year totals would be small (no greater than 32) and that it would be spread out over a 20 year time period. Furthermore, it would have no significant implications for the amount of housing land allocated in the Plan. Combining this with the fact that the figures in the Housing Land Table in the Plan correctly add up, I consider that changing the table to deal with the anomaly, and thereby marginally increase the housing land requirement (to 1400), is unnecessary.

27. It is inappropriate of the planning authority to imply in the Plan that the housing land requirement should be reduced by 20% to take account of windfall development. While

windfall development can make a contribution towards meeting the housing land requirement, it cannot change this figure. I accept that windfall opportunities have made a significant contribution to the level of housing development in the Plan area (63% of all completions between 2000 and 2013), and that this has allowed a reasonable level of development to be achieved. In the circumstances, I agree that some contribution from windfall development towards the housing land requirement could be justified.

28. The planning authority indicates that it is now intending to tighten up on housing development in the countryside, and that a new approach along these lines is being considered as part of the HwLDP review. While the contribution from windfall development could therefore decrease over time, given the remote, rural character of this area, and the absence of significant volume house building pressures, it is likely to continue to have an ongoing important role in the area's development. This is particularly so in relation to bringing forward development opportunities in Growing Settlements. Taking this together with the increasing emphasis to be placed on the delivery of allocated housing sites, I agree that it would be desirable if the Plan fully explained the role of windfall development in the area.

29. I do not consider that it needs to set out the exact level of windfall development to be achieved because the Plan's focus should be on the delivery of housing allocations over the Plan period. Windfall development should contribute towards maintaining a reasonable rate of housing completions, and the achievement of the housing supply target and housing land requirement, if the housing allocations in the Plan do not progress. I believe this to be a realistic approach in this case, and one which is based on clear evidence and sound assumptions about likely trends. In the circumstances, I consider that the wording the planning authority proposes to insert into the Plan on windfall development requires to be changed to reflect these factors.

30. The housing land requirement is intended to ensure that a generous supply of land for housing is provided in the Plan. While more than sufficient land has been allocated to meet the housing land requirement, this figure should not be regarded as a ceiling on the level of allocations. In the Plan, the total indicative capacity of the sites allocated for housing is 1498 houses (see paragraph 22). I can find nothing in the evidence before me which shows, on the balance of probabilities, that this level of allocations would be either excessive or too small. On the contrary, I find it to be reasonable, offering both flexibility and an appropriate range of housing development opportunities across the Settlement Development Areas. This is particularly so in Sutherland, where the housing market area comprises, in reality, several smaller, relatively, self contained sub market areas. Additionally, I note that the Plan makes good provision for sites incorporating brownfield land, with 28 allocations providing an indicative capacity of 406 houses. Furthermore, a number of the larger housing allocations in the Plan already have planning permission in place.

31. I acknowledge that the 2016 and 2017 Housing Land Audits suggest that the Plan's remaining housing capacity is much larger, at 2987 and 2971 houses respectively. However, it appears that these figures are based on the plans currently in force, and that they include a greater range of sites than those identified as allocations in the Plan, such as sites now identified as long term opportunities.

32. In the circumstances, I am not persuaded that there is any pressing need to allocate more housing sites or delete any from the Plan. If more housing sites are required during the Plan period, I note that a number of allocations, including ones in Thurso and Wick,

potentially have a greater housing capacity than the indicative figures estimated in the Plan. I believe that this could be regarded as adding some further flexibility to the housing land supply. Thereafter, long term opportunity sites can be considered for possible allocation at local development plan reviews.

33. In my experience, the challenge for the planning authority in rural areas such as this is to bring the housing allocations in the Plan forward to a stage where development can commence. This includes providing the necessary infrastructure on larger sites. In its response to FIR 03, the planning authority sets out the steps it is taking to stimulate and progress development (e.g. setting up the Delivering Development Forum and the Highland Housing HUB). While the 2016 and 2017 Housing Land Audits suggest that there are some concerns about the effectiveness of the housing land supply, I consider the steps proposed to bring sites forward to be reasonable and appropriate.

34. The planning authority proposes changes to the wording of the Plan to better explain the overall level of allocations. I consider the wording proposed to be generally acceptable, subject to changes to clarify the approach being taken and to ensure that it appropriately reflects the thrust of SPP.

35. A number of housing sites are before the examination – allocations and long term opportunities in the Plan, and alternatives not included in the Plan. These are considered in more detail under the settlement specific issues. While I have found that changes to the housing land supply figure are not required because of my conclusions above on the housing supply target, the housing land requirement, windfall development, or the level of allocations, I acknowledge that local circumstances can warrant some alterations to the supply being made. We have concluded that some amendments at Castletown (see Issue 07) and Wick (see Issue 13) are justified. Our recommendations propose the following changes to the housing land supply:

Castletown:

Castlehill Steading and adjoining land (new allocation): +41
Land North of Mackay Street (new allocation): +30

Wick:

Land East of Murray Avenue (new allocation): +40
WK04 (North of Coghill Street): +3
WK14 (Hillhead Primary School): +4

Total: +118 houses

Adding this figure to the total indicative housing capacity figure in the Plan of 1498 houses would give a revised total housing land figure of 1616 allocations. I am satisfied that a modest increase such as this would not result in an excessive housing land supply figure.

36. I have considered all the other matters raised in the representations, but find none that outweigh the considerations on which my conclusions are based.

37. Overall, adjustments are required to the Plan.

Policy 1: Town Centres First

38. Scottish Planning Policy (SPP) indicates that development plans should identify a network of centres. It also sets out 4 policy principles for planning town centres. These include applying a town centre first policy when planning for uses which attract significant numbers of people (such as retail and commercial leisure, offices, community and cultural facilities), ensuring development plans support successful town centres.

39. Town centre policy is dealt with on pages 10 and 11 under the Policy 1: Town Centres First section of the Plan. The policy directs development generating significant footfall to town centres in the first instance, and it adopts a sequential approach to the assessment of proposals, with edge of town centre locations being favoured second, and then out of centre locations.

40. I note the support for the Policy. This is qualified by concerns about the way in which the Policy will be applied, and the way similar policies have been applied in the past. I am satisfied that the Policy proposed in the Plan sets out an appropriate framework for dealing with development proposals which recognises SPP's town centre first principle and its emphasis on maintaining the important role of town centres, subject to the modifications recommended below. It is for the planning authority to ensure that the provisions of the Policy are appropriately applied when assessing individual development proposals. That matter falls outwith the scope of this examination.

41. Regarding the concern expressed about the impacts of large scale multi purpose developments, I note that the Policy requires a retail impact assessment to be produced where a proposal may result in an adverse impact on the vitality and viability of any defined town centre. SPP is quite clear that impact assessments are required for a wider range of proposed uses than just retail, such as new public buildings or offices, and leisure development. Given that such uses can also generate significant footfall, and as the sequential assessment required by Policy 1 applies to more uses than retail, I consider that the reference in the Policy to retail impact assessment should be changed to also refer to a town centre impact assessment.

42. This recommended change is based solely on the representations made to this Plan. It does not take into account the January 2016 representation from the Scottish Government, which was referred to by the planning authority in its summary of responses to the representations (as set out above). This is because the Scottish Government's representation was not made to this Plan, but to the Main Issues Report for the Highland-wide Local Development Plan review, a document which is not being examined here. The Scottish Government's representation to this examination did not cover the requirement for impact assessments.

43. Overall, an adjustment is required to the Plan.

Town centre strategies and health checks

44. A policy principle in SPP indicates that opportunities should be considered for promoting residential use in town centres where this fits with local need and demand. SPP also states that local authorities, working with community planning partners, businesses and community groups as appropriate, should prepare a town centre health check, which should be regularly updated. It indicates that the health check should be used to develop a strategy to deliver improvements to the town centre, and that the spatial

element of the strategy should be included in the development plan or Supplementary Guidance.

45. Policy 1 in the Plan indicates that proposals for converting buildings to residential use may be supported, provided that there is no loss of existing or potential viable footfall generating use(s), and that the property has been marketed for its existing use at a reasonable price/rent without success for a minimum period of 12 months. For vacant upper floor conversions (excluding hotels) support may be given without the requirement for marketing if it can be demonstrated that the proposals would contribute towards a balanced mix of uses.

46. In essence, one representation expresses concern about converting redundant retail properties to residential use because of the effect on business growth within town centres, and another representation is concerned about the lack of reference to town centre strategies within the Plan. The planning authority indicates that it proposes to make several minor changes to Policy 1, including some grammatical corrections and an amendment to the policy's title. These proposed changes have not been the subject of representations, and they are therefore not before the examination. It is for the planning authority to decide whether it can make the changes.

47. I consider that Policy 1 in the Plan properly reflects the relevant policy principle in SPP by potentially allowing the conversion of buildings to residential use. The policy contains 2 criteria which seek to protect viable footfall generating uses, and it sets out a minimum 12 month marketing period for the building. With these safeguards, I am satisfied that a proposal for residential use within a town centre would be unlikely to have a significant adverse impact on future business growth, or vibrancy, vitality and viability. As a residential use can reasonably contribute to the diverse mix of uses that is encouraged in town centres, I am not persuaded that it should be regarded as a use of last resort. In the circumstances, I do not believe that the policy should be changed.

48. There is no reference in the Plan to preparing town centre strategies, or to undertaking town centre health checks. The planning authority indicates that it has carried out no health checks in Caithness and Sutherland. Town centre health checks and strategies would, amongst other things: address a centre's strengths, vitality and viability, weaknesses and resilience; consider change in its roles; establish an agreed long term vision; indicate the potential for redevelopment, new development, renewal and diversification; and seek improvements. Annex A of SPP sets out in detail what a health check should cover and what a town centre strategy should comprise. I accept that the 2013 Thurso and Wick Charrette Report and the 2013 Dornoch Economic Masterplan cover town centres and contain useful information on objectives and addressing challenges. However, these documents have a wider purpose, and it is not clear to me that they could be regarded as a proper substitute for a town centre health check and strategy prepared in line with Annex A of SPP.

49. While I acknowledge that preparing a town centre health check for each town centre across Highland would be a considerable undertaking, a health check and the associated strategy are an important part of SPP's approach to recognising and prioritising the importance of town centres. The Plan identifies 5 settlements (Thurso, Wick, Brora, Dornoch and Golspie) with town centre boundaries. The 5 settlements have a key role because they all serve, and act as a focus, for their surrounding areas. The planning authority would be willing to state in the Plan that health checks and strategies may be produced as and when appropriate. In order to better align with SPP, I consider that the

Plan should be changed to include an undertaking to carry out health checks and develop strategies in the 5 settlements with identified town centres.

50. Furthermore, I believe that the health checks and town centre strategies should be used to provide information and guidance, including the spatial element of the strategies, in Supplementary Guidance. This would reflect the terms of SPP. Subject to Parliamentary scrutiny, the new 2017 Planning Bill includes provisions abolishing Supplementary Guidance, but these provisions will take time to come into effect. Furthermore, the work undertaken in preparing the guidance would remain of value because it would form the baseline for monitoring and updating the town centre strategies through future development plan reviews. I am not persuaded that, in the Plan area, this would amount to an excessive undertaking for the planning authority.

51. Overall, adjustments are required to the Plan.

Policy 2: Delivering Development

52. Policy 2 indicates that larger sites must be appropriately masterplanned. The text supporting this part of Policy 2 is provided at paragraph 46 of the Plan. Policy 2 also sets out that sites identified as long term are not being invited for development within the Plan period, and that allocated sites are expected to be developed before any long term sites are considered.

53. In relation to masterplanning, concern is expressed about the failure of Policy 2 to specify what is meant by the term larger sites. Additionally, a change is sought to the policy's wording which would mean that long term sites would be invited for development where allocated sites in Settlement Development Areas have been developed.

54. Masterplanning is a useful tool which applies to a specific site, and describes and illustrates how a proposal will work on the ground. I consider that by indicating in this part of Policy 2 the general size of sites that masterplanning would apply to usefully alerts developers to the fact that a masterplan is a potential requirement. I note that the term larger site has not been defined in the now adopted Inner Moray Firth Local Development Plan, and I agree with the planning authority that there would be difficulties in being more specific about the term because the context and circumstances of sites will inevitably vary. In the circumstances, I am not persuaded that it would be helpful for the Plan to be more specific about what a larger site means, and I am satisfied that the need for a masterplan in such cases should be a matter of judgment made in relation to each site.

55. The change proposed to the treatment of long term opportunity sites would, in effect, mean that long term housing sites were being invited to come forward in the Plan period. I consider this to be inappropriate in circumstances where there are more than sufficient housing allocations in the Plan to meet the housing supply target and the housing land requirement, and where our recommendations have resulted in an increase in the housing land supply. Including the long term housing sites within the housing land supply for the Plan could potentially create an excess of housing sites. In the circumstances, I am satisfied that the long term sites in the Plan are best left as the likely preferred direction for growth beyond the Plan period, with the possible option of allocation, if required, at the time of reviews of the Plan.

56. Overall, no adjustments are required to the Plan.

Site Capacities

57. Paragraphs 40 and 41 of the Plan explain how the capacity for each housing site was calculated. It also sets out the approach the planning authority will take to the indicative site capacity when detailed planning applications come forward. There is some support for this part of the Plan, but it raises no matters that require to be addressed here.

58. Some concern is expressed about the way the planning authority has approached site capacities when account is taken of the conclusions of the 2015 Housing Need and Demand Assessment (HNDA). I deal with matters relating to the HNDA and housing land supply above. I have found that the housing supply target and the housing land requirement have been reasonably based on the conclusions of the HNDA, and that sufficient land has been allocated in the Plan to meet the requirement. I note that the capacity of the land allocated for housing in the Plan is only indicative and that it takes into account phasing. I am satisfied that the planning authority has taken into account an appropriate range of factors in calculating the indicative capacity. Such factors are often used in such exercises. Subject to the recommendations set out in this report, I am also satisfied that the Plan, in broad terms, seeks to promote both a generally efficient use of land and a sustainable pattern of development appropriate to the area. I therefore consider that the text in the Plan at paragraphs 41 and 42 is acceptable.

59. Overall, no adjustments are required to the Plan.

General

60. In general, Policy 2 and its supporting text are concerned with delivering development, in the main on allocated sites in the Plan. Concern is expressed in representations about allocating greenfield housing sites, particularly around Thurso and, more generally, about the appropriateness of many of the locations for larger developments. Additionally, account should be taken of the impact that development would have on the area, including negative impacts.

61. The Plan proposes the allocation of a range of sites including the redevelopment of brownfield land. The appropriateness of individual allocations is considered in the settlement specific issues. In general terms, and subject to the recommendations of this report, I am satisfied that a reasonable balance of brownfield and greenfield allocations has been achieved, and that an appropriate range of opportunities for development has been provided, which take into account the remote, rural nature of the Plan area. I consider that the planning authority has reasonably followed standard practice in bringing forward its proposed allocations, proceeding by a way of a Call for Sites and Ideas, the preparation of a Main Issues Report, the undertaking of charrettes, liaison with other parties, such as Scottish Environment Protection Agency and Scottish Natural Heritage, and the preparation of environmental assessments. I therefore believe that the site selection process has been appropriately completed. The allocations have also been considered further through this examination. Taking these factors together, I consider that the Plan now contains the most appropriate sites, including those for larger development. In the circumstances, I consider that the supporting text to Policy 2, at pages 12 and 13 in the Plan, is acceptable.

62. Moreover, I have no reason to believe that development on allocated sites would not be carried out in an acceptable manner, which would respect local and national policies and would take appropriate account of its impact on the surroundings. An appropriate

policy framework to regulate development in the Plan area is in place.

63. Overall, no adjustments are required to the Plan.

Policy 3: Growing Settlements

64. Policy 3 of the Plan requires development proposals to be contained within, round off or consolidate Growing Settlements, and it sets out 6 criteria against which they will be assessed. The Caithness and Sutherland Settlements sections of the Plan provide details of the Issues and Placemaking Priorities for Growing Settlements. In essence, the representations seek further clarity and detail in the policy, and focus on the terms of the sixth bullet point. A similar policy to Policy 3 is contained in the 2015 HwLDP Review Main Issues Report (MIR). It is proposed that the former policy will apply across the Highland Council area in due course, and that it will supersede Policy 3. I note the support for this Policy. I deal with any qualifications to this support below.

65. Scottish Planning Policy (SPP) indicates that in remote areas outwith defined towns, the emphasis should be on maintaining and growing communities by encouraging development that provides suitable sustainable economic activity, while preserving important environmental assets. I am satisfied that the criteria in Policy 3 are generally consistent with the thrust of national policy. When the criteria are taken together with the requirement for development to be contained within, round off or consolidate Growing Settlements, I consider that the policy provides a reasonable framework for guiding development proposals to appropriate locations in Growing Settlements. I therefore do not believe that the Plan requires to be more specific about the areas where new development is permitted.

66. While concern is expressed about the location of some housing sites which have already been granted planning permission this, in itself, does not require changes to be made to Policy 3. Instead, I believe that issues like this are best addressed by ensuring that the Policy is properly and reasonably applied at the development management stage, a matter which falls outwith the scope of this examination.

67. I agree with the planning authority that it is unnecessary to insert a list of the Growing Settlements in Policy 3 because lists have already been provided in the Plan at paragraphs 32 and 48, and at pages 22 and 66, and the list at paragraph 48 is referred to in the Policy itself. Additionally, I see nothing in the bullet points or wording of the Policy, or in the wording of the Settlements sections of the Plan, which would be likely to discourage investment from occurring in the Growing Settlements.

68. The sixth bullet point of Policy 3 states that development proposals will be assessed against the extent to which they would not result in an adverse impact on any other locally important heritage feature, important public viewpoint/vista or open space. I am not persuaded that there are pressing reasons to better define important public viewpoint/ vista or open space. The former can reasonably be considered on a case by case basis within the context provided by the Issues and Placemaking Priorities identified for each Growing Settlement. The latter is already defined in the Glossary of the Plan.

69. For the avoidance of doubt about the scope of the bullet point, I consider that it would be helpful if it indicated that heritage features include natural and built features, all as set out below. This change would adequately cover the requirement to further the conservation of biodiversity, in line with the 2004 Nature Conservation (Scotland) Act and

SPP. In order to clarify that the bullet point properly recognises internationally and nationally important heritage features, as well as locally important ones, I also believe that the word locally requires to be deleted. More detail on the nature of the assessments required to safeguard heritage features when bringing forward development proposals is not required in the Plan because it is provided in HwLDP.

70. Overall, adjustments are required to the Plan.

Reporter's recommendations:

I recommend that the following modifications be made:

Wider Countryside

1. Under the Growing Communities (Wider Countryside) section of the Strategy and Policies, page 9, adjust the CaSPlan Hinterland Map to omit from the hinterland designation the area covered by Creich Community Council lying to the west of Larachan, as shown on the map accompanying the planning authority's response to FIR 04 (for the avoidance of doubt, this does not include the area to the north, west of Acharry Moor, which is also covered by Creich Community Council).

Housing Land Supply

2. Under the Growing Communities (Housing Land Supply) section of the Strategy and Policies, page 6, delete paragraph 19, and replace it with 2 new paragraphs (appropriately numbered) to read:

"…The housing supply target is a policy view of the number of homes that the Council estimates is required over the period covered by the Plan. It takes into the account the 2015 Housing Need and Demand Assessment, the Monitoring Statement (including the Addendum: Housing Background Paper) and wider economic and social factors. The target is founded on an approach of continued economic growth, which is the approach the Council has chosen to follow in its local development plans and is described in the 2015 Highland-wide Local Development Plan Main Issues Report as the 'high' scenario. The approach takes into account the high growth projections set out in the 2015 Housing Need and Demand Assessment. On this basis, the housing supply target for the next 20 years across the Plan area is 1140 houses (530 in Caithness and 610 in Sutherland).

…The Council's reasons for adopting the continued economic growth approach are:

- Additional new housing is required, despite an expected fall in population, in order to meet the demand generated by falling household sizes, and to eradicate the backlog of affordable housing need (predominantly in Sutherland).
- The approach is closely aligned to the objectives of the Council and its Community Planning Partners, which seek to realise the area's economic potential, including the delivery of market and affordable housing.
- The nature of the area's economy is changing, with several emerging growth industries being identified. In particular, the waters around Caithness and north Sutherland have significant offshore renewable energy generation potential, and there are positive signs of increasing activity in the sector, with a number of developments proceeding. Additionally, the area's remoteness means that it has potential for various scales of location sensitive development, such as the nuclear energy development at Dounreay, which has reshaped

the local economy over the last 60 years. Also a delay is now expected in the substantial decline of Dounreay dependent jobs because the decommissioning timescales for reaching the Interim End State have been extended to 2030-2033.
- The continuing diversification of the area's economy is sought. Growing the tourism industry is a key objective both regionally and nationally. It is an under developed asset which could generate significant numbers of jobs. Initiatives such as the North Coast 500 and Venture North are helping to promote and co-ordinate tourism in the north of Highland area, and there is potential for various scales of tourism/leisure development in more rural areas.
- Growing these sectors would bring new investment and job opportunities which could have significant effects on retaining young people and helping to reverse population decline.
- The housing supply target equates to an average of 57 house completions across the Plan area each year between 2016 and 2035, but the actual annual house completion rates in recent years have been typically well above that number."

3. Under the Growing Communities (Housing Land Supply) section of the Strategy and Policies, page 6, delete paragraph 20, and replace it with 2 new paragraphs (appropriately numbered) to read:

"…The housing land requirement ensures that a generous supply of land for housing is provided. The Council has set the requirement at 1368 houses (636 in Caithness, and 732 in Sutherland). It has been obtained by increasing the housing supply target figure by 20%, which is at the top end of the 10-20% range referred to in Scottish Planning Policy. The Council has applied a 20% increase in order to add a suitable level of flexibility to the housing land supply in this large, rural Plan area, and to allow an appropriate range of development opportunities to be spread across the Settlement Development Areas.

…The table below shows the Housing Supply Targets (separated into affordable and market sector housing) and the Housing Land Requirements. With regard to affordable housing provision, the Highland-wide Local Development Plan contains the affordable housing policy and our overall development plan policy framework provides the means for considering the merits of any particular proposals that come forward, be they sites allocated for housing or not."

(Insert Housing Land Requirements table as set out at paragraph 20 of the Modified Proposed Plan [and in attachments 1 and 2 of the planning authority's response to FIR 03])"

4. Under the Growing Communities (Housing Land Supply) section of the Strategy and Policies, page 6, delete paragraph 22, and replace it with 3 new paragraphs (appropriately numbered) to read:

"…The Plan contains a generous housing land supply in total and for each Housing Market Area. Based on the indicative housing capacities for each site (shown in the Settlement sections) the total land allocated for housing units is 1616 (Caithness 888 and Sutherland 728). The main reasons for this level of housing land supply, particularly in Caithness, are:

- Many larger housing sites already have planning permission and on some of these developments have either stopped or are progressing very slowly. As the permissions are live, and to ensure the effective planning of settlement expansion areas in bringing

forward a variety of uses and delivering infrastructure improvements, it is important to allocate them for development, phased where appropriate.
- The Council has allocated many brownfield opportunities to help promote regeneration and bring vacant and derelict sites back into use. They often have prominent locations and their redevelopment can have wide ranging positive impacts on the settlement. To encourage their redevelopment, and because their regeneration is a priority, the Council has been flexible in the list of acceptable uses.
- The rural nature of the area means that due to viability and the need for choice, a greater selection of sites is necessary to ensure that an effective supply is identified. It is essential that the key settlements are supported and strengthened to be more sustainable. This helps to ensure that housing demand is met and supports young people, families, and the elderly to remain in the area.

…However, not all houses will be built on land allocated for housing. Where housing is built on land which is not allocated, it is referred to as 'windfall' housing development. The Monitoring Statement indicates that out of 2111 house completions from 2000 to September 2013, 63% of all completions were effectively windfall. It also showed that the windfall rate varied across the Plan area. The majority of development has been in broadly sustainable locations, with the majority of completions in Thurso (74%) and Wick (62%) being on allocated sites, and a significant proportion being on non-allocated land in Settlement Development Areas.

…The Council is now renewing its focus on tightening up housing development in the countryside, and is considering a new approach as part of the Highland-wide Local Development Plan review. It promotes a proactive approach to the delivery of allocated housing sites, and to this end is setting up a 'Delivering Development Forum', and has established the 'Highland Housing Hub'. The former will support the delivery of development and infrastructure, the latter helps to better co-ordinate housing investment opportunities, making best use of Council assets and opening up sites for housing development. While the new approach may mean that the contribution to the housing land requirement from 'windfall' development could decrease over time, it is likely to continue to have an ongoing important role in the development of the area and the number of housing completions achieved annually. This is particularly so when account is taken of the remote, rural character of the Plan area, and the absence of significant volume house building pressures."

<u>Policy 1: Town Centres First</u>

5. Under the Policy 1: Town Centres First section of the Strategy and Policies, page 11, adjust the 1st sentence of the 3rd paragraph of the Policy to read:

"…If the Council considers that a proposal may result in an adverse impact on the vitality and viability of any defined town centre, the developer will be required to produce a retail or town centre impact assessment…"

6. Under the Policy 1: Town Centres First section of the Strategy and Policies, page 10, insert a new paragraph (appropriately numbered) between paragraphs 38 and 39 to read:

"…For those settlements with town centre boundaries defined on the maps in the Settlements section, the Council intends to undertake town centre health checks, and use their findings to develop town centre strategies which deliver improvements. The health checks and strategies will be used as a baseline for future monitoring and updating. The

Council also intends to use the health checks and strategies to provide further information and guidance, including the spatial elements of the town centre strategies, in Supplementary Guidance."

7. Under the Policy 1: Town Centres First section of the Strategy and Policies, page 11, add a new paragraph between the 4th and 5th paragraphs of the Policy to read:

"The Council intends to undertake health checks and develop town centre strategies for the defined town centres of Brora, Dornoch, Golspie, Thurso and Wick, and to use these to provide further information and guidance, including the spatial elements of the town centre strategies, in Supplementary Guidance."

Policy 3: Growing Settlements

8. Under the Policy 3: Growing Settlements section of the Strategy and Policies, page 11, adjust the 6th bullet point of the Policy to read:

"…would not result in an adverse impact on any other important heritage feature (including natural or built), important public viewpoint/vista or open space."

Issue 4	**Employment**	
Development plan reference:	Employment section pages 15 - 16	**Reporter:** Chris Norman Dilwyn Thomas

Body or person(s) submitting a representation raising the issue (including reference number):

Amelia Walker (931321)
Bill Badger (967160)
Caithness Chamber of Commerce (983321)
Carl Beck (980040)
David Doohan (980228)
Ian Walker (979716)
RSPB Scotland (956544)
Scottish Government (963027)
William Marshall (941627)
Wind Prospect Ltd (971514)

Provision of the development plan to which the issue relates:	Employment section (paragraphs 50 to 65) ** Please note that this part of the Plan was subject to non notifiable modifications, including updating and clarifying the most up-to-date national and regional marine planning framework.*

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

Employment General

Wind Prospect Ltd (971514) - Welcomes that renewable energy is recognised as an important contribution to a strong, diverse and sustainable economy in Highland and that paragraph 51 recognises that investment in renewable energy generation in North Highland is delivering economic benefits, as well as contributing to national climate change targets.

William Marshall (941627) - The reference to HMS Vulcan in paragraph 61 needs updated to NRTE Vulcan.

Carl Beck (980040) - Supports the North Coast 500 referred to in paragraph 55.

Ian Walker (979716), David Doohan (980228) - Employment is important but in Caithness and Sutherland many developments have been instigated, funded and then shut down. More severe due diligence should be applied by the Planning department in assessing future applications. The plan needs to be realistic - the oil, wind and wave energy sectors are declining, Dounreay and Vulcan being decommissioned and jobs from offshore renewables have not yet come to fruition for Thurso.

Amelia Walker (931321) - Agrees that employment is vital but over the years it has become increasingly difficult to advance and retain industry as the population in too small. There is also a tendency to drift everything towards Inverness and the South. Caithness does not get a fair share of revenue and facilities, medical, administrative and transport has all been diminished.

Caithness Chamber of Commerce (983321) - Welcomes the recognition given to the marine renewables energy sector and the planned support for this. However would caution against an over-reliance on this sector for employment, particularly in the long term. Agree that tourism plays an important part in the local economy and welcomes the supports for opportunities in this area. While it is good to see the Plan encouraging communities "to work together to formulate a tourism plan for their own area", we would recommend that the Council work with organisations such as the Chamber and Venture North to ensure that these plans fit into an overarching strategy for development of tourism in the region.

Bill Badger (967160) - Need to ensure that a wide range of jobs are available to encourage young people to stay in the area. Supports renewable energy but it must be balanced against the loss of the natural environment that can occur when policies are not thought out properly.

RSPB Scotland (956544) - RSPB Scotland supports appropriately sited renewable energy projects as climate change is currently the greatest threat to biodiversity. However the area of East Caithness identified in the plan as suitable for "energy business expansion" includes a number of designated European sites that are intended for the protection of wildlife. Not clear what "energy business expansion" covers but RSPB Scotland is concerned that the cumulative impact of continued development of wind energy in this area will adversely impact on the qualifying interests of these European sites. There are also large areas of deep peat within Caithness which are important carbon stores and that should be protected from development. In planning for the marine renewables industry, Highland Council must take full account of the importance of the Caithness and Sutherland shoreline and adjacent waters for bird life. RSPB Scotland notes that there are major opportunities for the promotion of wildlife tourism in Caithness and Sutherland and for the integration of biodiversity protection and enhancement with the creation of employment opportunities. In planning for an increase in tourism and visitor numbers, due attention must be given to the protection of important biodiversity assets as well as the opportunities for increasing public access to, and knowledge of, the natural heritage of Caithness and Sutherland. Seeking a modification in the form of the addition of text to paragraph 52 along the lines of, "Energy development (including wind turbines) in the Area for Energy Business Expansion must not adversely affect the integrity of any designated nature conservation site nor have an adverse impact on the population of any bird species listed in Birds of Conservation Concern, and should avoid areas of deep peat. Appropriate assessment will be required for any proposal which could have a significant effect on a Special Protection Area or Special Area of Conservation." Also seeking a modification to the second last sentence of paragraph 55 to encourage the wider development of wildlife tourism, "Communities are encouraged to work together to formulate a tourism plan for their own area that makes the most of their natural and cultural heritage."

Marine Planning

Scottish Government (963027) - Welcomes the references made to the National Marine Plan, however the Proposed Plan is not clear on the status of the National Marine Plan, the role it will play in decision making and its relationship with non-statutory marine plans. This section of the plan should be modified as follows: Paragraph 63 should be amended and brought together with the final sentence of Paragraph 65 to read: "The policy framework for marine planning is evolving at both national and regional levels with the publication of the National Marine Plan (March 2015) and the development of Regional Marine Plans. The National Marine Plan applies from Mean High Water Springs and

covers both Scottish inshore waters (out to 12 nautical miles) and offshore waters (12 to 200 nautical miles). The National Marine Plan has statutory effect for any public authority taking decisions which can affect the marine area. Statutory Regional Marine Plans will be delivered by Marine Planning Partnerships once established. The Council, in partnership with Marine Scotland and Orkney Islands Council, is also developing a non-statutory Pilot Pentland Firth and Orkney Waters Marine Spatial Plan which will be used as a material consideration in assessing relevant planning applications along the north Caithness and Sutherland coastline. Key elements……" If this change is accepted by the Reporter, it is suggested that the first sentence of Paragraph 65 which reads "The HwLDP includes policy in support of marine renewables, aquaculture, the integration of coastal and marine planning and links to relevant supplementary guidance" is moved to follow the last sentence of Paragraph 64.

Modifications sought by those submitting representations:

Employment General

William Marshall (941627) - Replace reference to HMS Vulcan in paragraph 61 with NRTE Vulcan

RSPB Scotland (956544) - Add additional text to paragraph 52 along the lines of: “Energy development (including wind turbines) in the Area for Energy Business Expansion must not adversely affect the integrity of any designated nature conservation site nor have an adverse impact on the population of any bird species listed in Birds of Conservation Concern, and should avoid areas of deep peat. Appropriate assessment will be required for any proposal which could have a significant effect on a Special Protection Area or Special Area of Conservation.”

Add additional text to the last sentence of paragraph 55: “Communities are encouraged to work together to formulate a tourism plan for their own area that makes the most of their natural and cultural heritage.”

Marine Planning

Scottish Government (963027) - Welcomes the references made to the National Marine Plan, however the Proposed Plan is not clear on the status of the National Marine Plan, the role it will play in decision making and its relationship with non-statutory marine plans. This section of the plan should be modified as follows: Paragraph 63 should be amended and brought together with the final sentence of Paragraph 65 to read: "The policy framework for marine planning is evolving at both national and regional levels with the publication of the National Marine Plan (March 2015) and the development of Regional Marine Plans. The National Marine Plan applies from Mean High Water Springs and covers both Scottish inshore waters (out to 12 nautical miles) and offshore waters (12 to 200 nautical miles). The National Marine Plan has statutory effect for any public authority taking decisions which can affect the marine area. Statutory Regional Marine Plans will be delivered by Marine Planning Partnerships once established. The Council, in partnership with Marine Scotland and Orkney Islands Council, is also developing a non-statutory Pilot Pentland Firth and Orkney Waters Marine Spatial Plan which will be used as a material consideration in assessing relevant planning applications along the north Caithness and Sutherland coastline. Key elements……" If this change is accepted by the Reporter, it is suggested that the first sentence of Paragraph 65 which reads "The HwLDP includes policy in support of marine renewables, aquaculture, the integration of coastal and marine

planning and links to relevant supplementary guidance" is moved to follow the last sentence of Paragraph 64.

Summary of responses (including reasons) by planning authority:

Employment General

Support for the recognition of the importance of renewable energy is noted.

Following comments made at Proposed Plan stage it was acknowledged that the MOD establishment at Dounreay which was formally named as HMS Vulcan was now known as The Vulcan Naval Reactor Test Establishment (NRTE). This factual change was made as a non-notifiable modification as part of the Modified Proposed Plan. No further comments were made in regard to the reference within the Employment section during the Modified Proposed Plan consultation.

Economic prospects in north Highland

CaSPlan is focused on supporting greater diversification of the economy. It recognises that the economy of Caithness and North Sutherland has been driven largely by Dounreay for more than 50 years but that this is now in the process of being decommissioned (the Interim End State was recently extended to a date range of 2030-2033). CaSPlan provides a strategy for supporting other industries which have been identified as being important growth sectors, particularly in marine renewables and tourism.

Although it is recognised that the growth of marine renewables has been slower than some initial forecasts there have been positive signs over more recent times that it will attract significant investment and deliver employment opportunities. MeyGen's tidal power project, located in the Pentland Firth, has attracted a range of investment streams and with the grid connection now completed the next milestone (which is nearly complete) involves the installation of the first turbines. When fully operational the scheme is expected to generate 400MW of electricity and employ an increasing number of people. SSE has confirmed the Final Investment Decision for the £2.6billion Beatrice Offshore Windfarm project in the Outer Moray Firth which has been considered as one of the largest private investments ever made in Scottish infrastructure. The 588MW, 84 turbine windfarm is expected to power approximately 450,000 homes. SSE has also announced around £10million of investment in Wick Harbour which will be used as the Service Base during the construction and operation stages. Planning permission has recently been granted for the conversion of historic buildings at Wick Harbour which will serve as the operation and maintenance base for the development. The proposal is also expected to have wider benefits across Wick and the whole county.

The decline in the price of oil and gas has had repercussions across the world. Businesses in Caithness do not appear to have experienced the same impact as others in the sector with reports that Scrabster Harbour's role in servicing the west of Shetland oil and gas fields is growing. Although it is clear that some businesses operating in the North Sea are scaling back operations the industry is also preparing for the emergent decommissioning industry (estimated to be worth up to £50 billion by 2040). This is expected to co-exist with continued exploration and production activity. With improvements to the harbours the area will be in a better position to attract new opportunities which arise from this growth industry.

The tourism industry is also becoming an important growth sector across Caithness and Sutherland. The North Highland Initiative's North Coast 500 coastal route has proved to be a great success including being identified as one of the world's greatest road trips by travel writers/publications. Recent publicity has shown that visitor numbers have risen substantially across much of Caithness and Sutherland. The Proposed Action Programme (CD05) also outlines a number of projects which will also enhance tourism and recreational facilities.

Other emerging industries are also attracted to Caithness and Sutherland. HIE have held talks with parties interested in developing a satellite launching facility in north west Sutherland. Initial results from a feasibility study have shown that the site has the specific requirements suitable for such a facility. In addition, Wildland Ltd's proposals for exclusive visitor facilities around north west Sutherland could lead to a range of new employment opportunities being created.

The points raised by RSPB Scotland about wildlife tourism are noted and comments made by the Chamber of Commerce in regard to communities formulating their own tourism plan for their area is noted. Paragraph 17 states that the Council is supportive of communities working together to create/implement their own Community Plan that complements the CaSPlan Vision. If the Reporter is so minded a similar reference could be made in Paragraph 55 such as "work together to formulate a tourism plan for their own area that makes the most of their natural and cultural heritage and complements the CaSPlan Vision".

Area for Energy Business Expansion

The "Area for Energy Business Expansion" is not intended to be used as a land use allocation for energy developments. It is not intended to show where renewables devices would be acceptable on the ground, but rather it is intended to show where the Council would be particularly supportive of the necessary supporting terrestrial infrastructure, including associated business and industrial developments. It is also intended to promote the energy sector within the area and help to generate local jobs. Therefore the Council does not feel that the modification suggested by RSPB Scotland is necessary.

Due Diligence

The effectiveness of sites is assessed as part of the preparation of the LDP. This may include the existing and proposed levels of infrastructure and services which would be required to support development to go ahead. Supply and demand of particular land uses is also assessed and helps to inform the sites recommended for inclusion in the Plan. References to the Planning Authority carrying out due diligence for planning applications is not appropriate. Planning applications are not specifically determined on whether due diligence has been carried out prior to a planning application being submitted.

Marine Planning

Support for the references made to the National Marine Plan are noted.

The Council agreed to make changes to paragraphs 63 and 65 (paragraphs 65 and 67 within the Proposed Plan respectively), including updating and clarifying references to the national and regional marine planning framework. These changes were carried out as non-notifiable modifications, included in the Modified Proposed Plan. No comments were

received on the matter during the Modified Proposed Plan consultation.

The Council is also mindful that since the publication of the Modified Proposed Plan the pilot Pentland Firth and Orkney Waters Marine Spatial Plan (2016) (CD39) has been finalised and adopted for use as a material consideration. If the Reporter is so minded the Council would be content with reference in the Plan to the Marine Spatial Plan therefore being further updated to reflect this position.

In addition, reference to the Marine Spatial Plan within sentence 4 of paragraph 63 is also erroneously repeated in paragraph 65. If the Reporter is so minded the Council would be content with the removal of the sentence from paragraph 65.

Reporters' conclusions:

Employment - General

1. We note the support for this section of the Plan, including the references to renewable energy and tourism (particularly the North Coast 500), and its approach to Dounreay. Changing the reference from HMS Vulcan in the Original Proposed Plan to The Vulcan Naval Reactor Test Establishment in the Modified Proposed Plan amounts to no more than a minor correction, which the planning authority has treated as a non-notifiable modification.

Economic Prospects in North Highland (including due diligence)

2. One of the four outcomes that make up the Plan's vision for 2035 is Employment: A strong, diverse sustainable community characterised by being an internationally renowned centre for renewable energy, world class engineering, land management and sea based industries and a tourist industry that combines culture, history and adventure (and wildlife [see Issue 1]). This reflects the planning authority's objective of seeking continued economic growth for the area, which underpins its approach to the Plan. Such an approach is important because it allows this remote, sparsely populated, rural area to take advantage of any appropriate economic development opportunities which may emerge, including opportunities from the area's offshore renewable generation potential, and its tourism potential. Furthermore, it will help in addressing the long term challenges posed by the decommissioning of the facilities at Dounreay.

3. In its Summary of Responses above, the planning authority refers to a number of key economic development projects which are of benefit to the area, for example, the imminent installation of tidal turbines in the Pentland Firth, on-shore investment in the Beatrice Offshore Windfarm and utilisation of Wick Harbour as a service base, the growing role of Scrabster Harbour in servicing the west of Shetland oil and gas fields, the emergence of a decommissioning industry for the North Sea oil industry, and the growth of the tourism industry through initiatives such as the North Coast 500. Moreover, we accept that there could be potential in the area for various scales of location sensitive development (as the nuclear energy development at Dounreay has shown). In the circumstances, we do not share the concerns expressed by some representors that the Plan needs to be more realistic about employment and economic prospects, and we are not persuaded that a change to the Plan is necessary on this basis.

4. We are satisfied that realising the area's economic potential would be unlikely to be to the detriment of the natural environment because of the suite of policies in the Highland-

wide Local Development Plan (HwLDP) which seek to protect the area's qualities, and which would be taken into account in assessing development proposals at the development management stage.

5. We agree with the RSPB and the planning authority that there are major opportunities for wildlife tourism in the Plan area. We consider that our recommendation at Issue 01 to include this form of tourism in the Vision and employment outcome for the Plan means that its potential importance has been properly recognised. We are satisfied that it would be reasonable to reinforce these references by referring to natural heritage and the Plan's Vision at paragraph 55 (where it deals with the preparation of community tourism plans), along the lines requested by the planning authority. Making such a change would mean that reference should also be made to cultural heritage, which is another important form of tourism in the area.

6. We believe that it would be too prescriptive if the Plan set out a requirement to involve organisations such as the Chamber of Commerce and Venture North in the preparation of community tourism plans, as requested by Caithness Chamber of Commerce. We consider that the need for engagement with such organisations in the preparation of these plans is best determined at the time of their preparation, and should be based on local circumstances.

7. Regarding the concern expressed about a lack of due diligence, we conclude at Issue 02 that the general process followed by the planning authority in preparing the Plan (including its proposals and projects) appears appropriate, reasonable and thorough. Due diligence at the development management (planning application) stage is not a matter for the Plan. Neither is it a matter for the examination to consider.

8. Overall, an adjustment is required to the Plan.

Area for Energy Business Expansion

9. RSPB seeks to protect designated European sites, other ornithological interests, and areas of deep peat within the Area for Energy Business Expansion, and along the shoreline, from the cumulative effects of wind energy developments. We recommend at Issue 02 that the Plan clarifies that the Area for Energy Business Expansion specifically relates to offshore renewables and oil and gas (ie the land based supporting infrastructure). We also note that the Spatial Framework in the Onshore Wind Energy Supplementary Guidance shows opportunities for onshore wind proposals in this area. We accept that development proposals coming forward in the Area for Energy Business Expansion, and along the shoreline, could have implications for natural heritage interests, such as designated European sites and deep peat. However, we believe that the policy framework set out in HwLDP provides adequate protection for such interests, including policies 67 (Renewable Energy Developments), 55 (Peat and Soils), 57 (Natural, Built and Cultural Heritage), 58 (Protected Species), and 59 (Other Important Species). Overall, no adjustment is required to the Plan.

Marine Planning

10. Scottish Government suggested that references to the national and regional marine planning framework in the Original Proposed Plan (paragraphs 65 and 67) be updated. The planning authority has included these changes in paragraph 63 of the Modified Proposed Plan. The changes do no more than seek to clarify the status and nature of the

marine planning framework in place, and the planning authority has treated them as non-notifiable modifications. The planning authority also now proposes further changes to the Plan. We have no difficulty with these changes because they follow on from the Scottish Government's representation and would update the status of the Pentland Firth and Orkney Waters Marine Spatial Plan (2016). They would also remove an unnecessary, duplicated sentence at paragraph 65 of the Modified Proposed Plan which, in turn, would warrant a rearrangement of the paragraphs. Overall, adjustments are required to the Plan, as set out below.

Reporters' recommendations:

We recommend the following modifications be made:

1. Under the Employment section of the Strategy and Policies, page 15, adjust the 4th sentence of paragraph 55 to read:

"…Communities are encouraged to work together to formulate a tourism plan for their own area that makes the most of their natural and cultural heritage and complements the CaSPlan Vision."

2. Under the Employment (Marine Planning) section of the Strategy and Policies, page 16, adjust the 5th sentence of paragraph 63 (of the Modified Proposed Plan) to read:

" …The Council, in partnership with Marine Scotland and Orkney Islands Council, has finalised and adopted the non-statutory Pilot Pentland Firth and Orkney Waters Marine Spatial Plan which is a material consideration in assessing relevant planning applications along the north Caithness and Sutherland coastline…"

3. Under the Employment (Marine Planning) section of the Strategy and Policies, page 16, delete the 1st sentence of paragraph 65, and add the remaining sentence (the 2nd sentence) to the end of paragraph 64.

Issue 5	**Connectivity and Transport**	
Development plan reference:	Connectivity and Transport section, page 17	**Reporter:** Chris Norman Dilwyn Thomas

Body or person(s) submitting a representation raising the issue (including reference number):

Proposed Plan
Amelia Walker (931321)
Bill Badger (967160)
Brenda Herrick (966977)
Caithness Chamber of Commerce (983321)
Carl Beck (980040)
David Doohan (980228)
HITRANS (1031672) late response from a Key Agency (17 May 2016)
Ian Walker (979716)
Network Rail (980184)
Wind Prospect Ltd (971514)

Modified Proposed Plan
HITRANS (MPP1031672)

Provision of the development plan to which the issue relates:	Connectivity and Transport section (paragraphs 66 to 69)

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

Carl Beck (980040) - Supports the North Coast 500 referred to in paragraph 55 but thinks the road infrastructure is inadequate as a major tourist attraction and requires major improvements to fulfil the tourist potential.

Wind Prospect Ltd (971514) - Objects to bullet point 3 of paragraph 68 and would like it recognised that renewables projects provide an opportunity for better roads, as the projects fund repairs & upgrades, and planning conditions ensure no net degradation of the road system as a result of a project.

Brenda Herrick (966977) - Transport in Caithness is deteriorating rapidly. The train service is appalling but probably outwith Council control. Bus service is deteriorating partly due to the Council policy of awarding contracts to the lowest bidder which has the knock-on effect of reducing Stagecoach routes. Roads are in a bad state and getting worse, in some cases also due to Council policy of using Caithness as a rubbish dump for other parts of Highland. This is supposed to reduce cost of building more landfill sites but has not taken into consideration the damage to roads along the route. Materials used to repair roads now are not fit for purpose. The delay to the Berriedale Braes work is causing problems and at worst dangerous. How is industry and tourism supposed to flourish in these conditions? Efficient transport infrastructure by rail and road is essential for any economy. There seems to be no joined-up thinking.

Network Rail (980184) - There are a wide range of fronts upon which climate change

needs to be tackled including the need to protect the existing infrastructure as we all adapt to more severe weather events. In addition to addressing climate change though sustainable development there is a need to recognise that some major infrastructure (i.e. communications, utilities, roads and railways) are currently located in vulnerable areas (such as the Caithness and Sutherland coastline) and represent considerable public investment. Plans which anticipate and support the need to protect the significant investment in existing infrastructure foster sustainable development and policy support should be given for enhancements where required. This section should be changed to add: CaSPlan addresses these challenges by; Supporting the functional and operational requirements of providers of existing infrastructure to maintain and repair transport and communications networks.

Core Path Plans can be adapted as circumstances change and where development or the operations of statutory undertakers may dictate. The Plan should note this and the following clause should be added to this section: “The Council may remove or amend paths in the Core Paths Plan and this is most likely to occur on proposed development sites. If this happens an amendment to the plan will be published in accordance with set procedures.”

Network Rail broadly supports the last bullet point of paragraph 69 as the concentration of development, directed towards settlements with railway stations/transport hubs, is a sustainable approach to demand.

Ian Walker (979716) - Caithness and Sutherland is largely dependent on private companies prepared to apply themselves to rural areas which are generally not profitable and therefore place the burden of transport costs on the poorer and more remote areas of the Highlands.

David Doohan (980228) - Better roads are required and a more reliable train service.

Amelia Walker (931321) - Supports this section of the plan. Employment is a vital factor to any area. Over the years it has become increasingly difficult to advance and retain industry because the population is too small. There is also a tendency to drift everything towards Inverness and the South. Caithness does not get a fair share of revenue and facilities, medical, administrative and transport has all been diminished.

Caithness Chamber of Commerce (983321) - Agree that this is a key issue for the continued success and growth of Caithness and Sutherland and any support that the Plan can provide with regards to key transport infrastructure in the region is welcome. The Council should engage with groups such as Caithness Transport Forum and Wick John O’Groats Airport Consultative Committee to ensure that developments in this area are aligned with the priorities of local stakeholders. Agree in general that any proposed developments should look at existing infrastructural connections, but not all developments may be able to do so and flexibility should be applied when considering any proposed development. Agree that communities can play a key role in providing transport solutions in areas with limited infrastructure but would caution against over-reliance on community-provided transport and note that it remains the responsibility of the Council to ensure that socially necessary public transport is provided for those living in remote areas.

Bill Badger (967160) - Generally supportive of this section of the plan. Suggested that perhaps not all single tracks roads need to be twin tracked.

HITRANS (1031672) late response Key Agency (17 May 2016) - Welcome reference in Thurso and Wick to the need for new development to consider Active Travel town Audit/masterplans. Hitrans is currently out to consultation on a Region-wide Active Travel Strategy and the final version will hopefully incorporate reference to the need to improve Active Travel provision along the A9 corridor especially on sections where the link between communities such as Golspie and Brora is commutable.

Include more references to the trunk road network in strategy diagrams and under the connectivity and transport section. In particular with regard to the Far North Line which has suffered from very poor performance in recent years.

Note reference to Branchliner and challenges posed by timber extraction on fragile local road network.

Highlight opportunities for improving connectivity with Orkney especially whereby improved connectivity between Caithness and Orkney could lead to increased market size and opportunities for business. Also context of implications around new Northern Isles Ferry Services contract and increased traffic/business if Road Equivalent Tariff ferry fares introduced on Pentland Firth plus the need for national government to ensure an integrated approach with rail and bus linking with new services.

HITRANS (MPP1031672) - Submitted an updated version of their previous (late) representation to the Proposed Plan. Minor amendments were made to their submission which included highlighting that HITRANS are currently exploring the feasibility of a sleeper service to Caithness. In the context of their request for stronger reference to the trunk road network in the strategy map and in the connectivity and transport chapter, they sought similar emphasis in respect of the rail network.

Modifications sought by those submitting representations:

Carl Beck (980040) - Acknowledge investment is required in the North Coast 500 road infrastructure.

Wind Prospect Ltd (971514) - Paragraph 68 bullet point 3 should acknowledge that renewables projects provide an opportunity for better roads.

Network Rail (980184) - Add the following text: “CaSPlan addresses the challenges of climate change by; Supporting the functional and operational requirements of providers of existing infrastructure to maintain and repair transport and communications networks.”

Add the following: “The Council may remove or amend paths in the Core Paths Plan and this is most likely to occur on proposed development sites. If this happens an amendment to the plan will be published in accordance with set procedures.”

HITRANS (1031672) – late response Key Agency (17 May 2016) - Include reference to Active Travel potential along the A9 corridor, in particular between Brora and Golspie.

Include more references to the trunk road network in strategy map and in connectivity and transport chapter.

Highlight opportunities for improving connectivity with Orkney.

HITRANS (MPP1031672) - Include more references to the rail (as well as trunk road) network in strategy map and in connectivity and transport chapter.

Summary of responses (including reasons) by planning authority:

The general support for this section from some respondees is noted.

The North Highland Initiative's (NHI) North Coast 500 coastal route is focused on encouraging more people to visit the north of Highland. It is acknowledged that this will also result in higher numbers of vehicles using the road network, including many narrow single track roads. Concerns over traffic volumes, road safety and general etiquette on rural roads have been raised in the local press recently. As a result on the North Coast 500 website the NHI have included a section dedicated to driving safely and responsibly on the route and particularly on single track sections. The Local Development Plan cannot make commitments for road infrastructure investment at this point; however if the Reporter is so minded, the Council would be agreeable to the following extra bullet point being added to paragraph 68 which highlights transport 'challenges': "The continued growth of the tourism industry may put increased pressure on the road network, particularly in rural areas."

Paragraph 68, bullet point three currently only says that the renewables industry may put increased pressure on the road network. It is acknowledged that the renewables industry can provide an opportunity for enhancing sections of roads through projects which fund repairs and upgrades. Planning conditions attached to developments often also ensure no net degradation of the road system. As a result the Council would be agreeable to the Reporter adding the following text to the end this bullet point: "In some cases renewable energy projects may result in repairs and upgrades but it is essential that the Council ensures there is no net degradation to infrastructure from these projects."

Connectivity and transport is recognised as central to the economy and the communities across Caithness and Sutherland. This is reflected in it forming a core part of the Plan's Vision and Strategy. The section on Connectivity and Transport (page 17) outlines the key challenges and identifies the ways in which the local development plan can address these issues. The existing issues with public transport provision is noted. As a result if the Reporter is so minded the Council would be content with the first bullet point in paragraph 69 being amended to include reference to the challenges in the provision of public transport.

The Plan already acknowledges the importance of infrastructure and that forms a key part of the Vision and Connectivity and Transport outcome. In paragraph 69 bullet point four sets out how the planning authority will direct development "to locations easily linked to existing connections in the transport network, and utilities and communications infrastructure…" As a result the Council are not minded to make the Rail amendments suggested by Network Rail to paragraph 69.

It is acknowledged that sometimes the development of a site can result in the route of a Core Path having to be moved. However the review of Core Paths is a separate process from Local Development Plans, with a separate consultation to the Local Development Plan. Therefore the Council does not accept that the suggested additional text is necessary in the Plan. No modification is proposed by the Council.

Network Rail's support for the last bullet point of paragraph 69 is noted.

The first bullet point under paragraph 68 acknowledges that limited transport options and a high dependency on car ownership is a fundamental challenge for many people living within the CaSPlan area.

The comments made by the Caithness Chamber of Commerce are noted. The Plan recognises that not all development can be linked to existing infrastructure but it highlights that development will be directed in the first instance to locations which benefit from infrastructure. The reference to "communities continuing to play a key role in addressing this issue…" is intended to promote community initiatives such as Transport for Tongue as making positive change in a rural area. It is recognised that this may appear to put emphasis on the community as the group responsible for addressing the issue. As a result if the Reporter is so minded the Council would be content with amending the sentence to read "communities *can* play a key role in addressing this issue…".

Response to: HITRANS – late response Key Agency (17 May 2016) - The Plan identifies the need to provide better active travel connections and the comments from Hitrans are welcomed. The provision of a link between Brora and Golspie is recognised as both useful and feasible given the short distance between the two settlements. As a result if the Reporter is so minded the Council would be content with the third bullet point in paragraph 69 being amended to read "Promoting active travel opportunities, particularly between settlements such as Brora and Golspie…"

The Highland-wide Local Development Plan (HwLDP) (CD18) contains a map on page 108 which shows the Road Hierarchy. It is not felt necessary to repeat this within CaSPlan. At paragraph 69 bullet point one, the Plan already refers to the fact that it aligns with the Highland Local Transport Strategy and supports projects to be delivered by partner agencies. The problems faced by the operators of the Far North Line are noted. As a result the Council would be content if the Reporter is so minded to amend the first bullet point in paragraph69 to: …for Berriedale Braes on the A9, and Network Rail's enhancements to the Far North Line".

The comment on the Branchliner Project (CD41) (Action Programme – Aspirational programme) is noted.

In terms of highlighting opportunities for improving connectivity with Orkney, the Plan already recognises at paragraph 66 that the area needs to be well connected to be a competitive and successful place. Paragraphs 11 and 52 also highlights the Pentland Firth and Orkney Waters Energy Hub - Area for Co-ordinated Action as identified in National Planning Framework 3 (CD02). The Council does not think it is necessary to include any further references. No modification is proposed by the Council.

In terms of the implications around the new Northern Isles Ferry Services contract and Road Equivalent Tariff ferry fares, it is more appropriate for these matters to be considered during a review of the Local Transport Strategy. No modification is proposed by the Council.

In response to additional comments made at Modified Proposed Plan stage:
The Proposals Map (Ordnance Survey base) of the HwLDP (CD18) and the diagrams depicting Vision and Spatial Strategy within that Plan all show the rail network. The remaining points raised by the representor are addressed by the already-agreed Council position on the issue. No changes to the Plan are required in response to the representation. However, it can be noted that we have added to the Action Programme

references to HITRANS exploring feasibility of a sleeper service to Caithness, to Scottish Government's recent announcement of their intention to set up a Far North Line Review Group to co-ordinate activities and look at opportunities to improve performance on the line (CD37) and to Scottish Government's recent announcement of £5 million additional funding for projects that strengthen public roads and reduce disruption by timber haulage (CD47).

Reporters' conclusions:

1. Scottish Planning Policy (SPP) indicates that planning can play an important role in improving connectivity and promoting more sustainable patterns of transport and travel, that development plans should take account of the implications of development proposals on traffic, patterns of travel and road safety, and the relationship between land use and transport. In rural areas, it also indicates that plans should be realistic about the likely viability of public transport services and innovative solutions should be considered.

2. One of the four outcomes that make up the Plan's vision for 2035 is Connectivity and Transport: Enhanced communications, utilities and transport infrastructure that support communities and economic growth, with development anchored to existing or planned provision. Paragraph 68 of the Plan sets out the connectivity and transport challenges for the Plan area, and paragraph 69 shows how the Plan attempts to address these challenges.

3. We note the support expressed for this section of the Plan. Several representations also highlight the limited nature and deteriorating condition of the transport infrastructure in the Plan area. We consider that these concerns do not require a change to the Plan because the first bullet point of paragraph 68 already refers to the limited transport options available in the area and the higher dependency on car ownership, and matters such as the frequency and reliability of train and bus services, the involvement of private companies in the provision of such services, and the organisation and programme of road repairs all fall outwith the Plan's scope.

4. We agree that tourism initiatives, such as the North Coast 500, are increasing the amount of traffic and pressure on roads in the Plan area. However, this challenge is not currently identified in the Plan. Given the importance of tourism to the area and the fact that it is identified as a key growth sector, we believe that it should be an additional challenge identified at paragraph 68, as set out below.

5. We believe that the reference to community transport solutions in the second bullet point of paragraph 68 is in line with the reference in SPP to innovative public transport solutions in rural areas. Such solutions are important because they can help provide socially necessary transport in remote rural areas. However, we accept that there should not be over reliance on such community initiatives, and consider that the bullet point should be changed to indicate that communities "can" play a role in providing them.

6. We acknowledge that consents for on shore wind energy developments can frequently include conditions requiring no net degradation of the road system, and that they can result in sections of road being improved. The Plan highlights at the third bullet point that the renewables industry may put increased pressure on the road network. The renewable energy sector is an important part of the local economy. In order to balance the statement in the Plan, we believe it reasonable to include a reference in the bullet point to renewable energy projects potentially resulting in repairs and upgrades to roads, with an aim of no net

degradation, all as set out below.

7. The first bullet point in paragraph 69 indicates that the Plan deals with the transport challenges in the area by aligning with the Highland Local Transport Strategy and supporting projects of partner agencies. In the interests of promoting more sustainable patterns of transport and travel, to properly address the concern expressed in representations about an over-dependence on car travel, and to ensure that the Plan is suitably realistic, we believe that the bullet point should be changed to include a general reference to supporting measures addressing the challenges in the provision of public transport. Additionally, given the problems faced by operators of the Far North Line and the very poor performance referred to by HITRANs, we agree with the planning authority that there would be merit in including to the bullet point a reference to Network Rail's project for enhancements to the Far North Line.

8. The Plan promotes active travel opportunities in the third bullet point of paragraph 69. HITRANS identifies the potential to provide active travel linkages along the A9 corridor, particularly between Brora and Golspie where the distance is short and commutable, and within Thurso and Wick. Given that SPP highlights the importance of providing opportunities for active travel, we consider that it would be reasonable and appropriate, and helpful to users of the Plan, if the bullet point included reference to these specific opportunities.

9. Regarding other matters raised in representations, changes to core paths, including those required by the operations of statutory undertakers, are best dealt with through the review of the Core Paths Plan, which has its own separate consultative process, rather than through the local development plan. Given this, we believe that there is no need to expand on the existing brief reference to core paths in the third bullet point of paragraph 69.

10. We acknowledge that major transport infrastructure is currently located in vulnerable parts of the Plan area, including on the coastline, and that it represents a major amount of public investment. However, the operational requirements of transport providers, such as Network Rail, benefit to a substantial degree from extensive permitted development rights. This enables a lot of maintenance and repair of existing infrastructure to be undertaken without planning permission. In these circumstances, we do not consider that there is much to be gained from referring to such works in the Plan.

11. We agree with the planning authority that the Highland-wide Local Development Plan (HwLDP), which is a part of the development plan, adequately demonstrates the rail network and the road hierarchy. We are therefore satisfied that there is no need to include this information in the Plan. Furthermore, there is no great benefit to be gained from adding to the Plan references to the other potential opportunities HITRANS identifies in its representation, such as, the Branchliner Project proposals for rail borne timber haulage, sleeper services on the Far North Line, and ways of improving ferry connectivity with the Orkney Islands. We believe that the inclusion of the former 2 in the Plan's Action Plan is sufficient. In relation to the latter, the Plan reasonably emphasises connectivity in general terms, and HwLDP already highlights improved ferry connections on its Vision and Spatial Strategy Diagram. Other related matters concerning the ferry services contract and road equivalent tariff ferry fares are better dealt with through the Local Transport Strategy rather than through the Plan.

12. Overall, adjustments are required to the Plan.

Reporters' recommendations:

We recommend the following modifications be made:

1. Under the Connectivity and Transport section of the Strategy and Policies, page 17, add a 5th bullet point to paragraph 68 to read:

"…The continued growth of the tourism industry may put increased pressure on the road network, particularly in rural areas..."

2. Under the Connectivity and Transport section of the Strategy and Policies, page 17, adjust the 2nd second sentence of the 2nd bullet point in paragraph 68 to read:

"…Communities can play a key role in addressing this issue, for example, by providing community transport solutions, like Transport for Tongue…"

3. Under the Connectivity and Transport section of the Strategy and Policies, page 17, add the following sentence to the end of the 3rd bullet point in paragraph 68 to read:

"…In some cases renewable energy projects may result in repairs and upgrades but it is essential that the Council ensures that there is no net degradation to infrastructure from these projects…"

4. Under the Connectivity and Transport section of the Strategy and Policies, page 17, adjust the 1st bullet point of paragraph 69 to read:

"…Aligning with the Highland Local Transport Strategy and supporting projects to be delivered by partner agencies, for example, Transport Scotland's planned improvements for Berriedale Braes on the A9, Network Rail's enhancements to the Far North Line, and measures addressing the challenges in the provision of public transport."

5. Under the Connectivity and Transport section of the Strategy and Policies, page 17, adjust the 1st sentence of the 3rd bullet point of paragraph 69 to read:

"…Promoting active travel opportunities, particularly between settlements such as Brora and Golspie, and within Thurso and Wick…"

Issue 6	**Environment and Heritage**	
Development plan reference:	Environment and Heritage pages 18- 21	**Reporter:** Tim Brian

Body or person(s) submitting a representation raising the issue (including reference number):

Amelia Walker (931321)
Bill Badger (967160)
Caithness Chamber of Commerce (983321)
David Doohan (980228)
Ian Walker (979716)
Wick Harbour Authority (980258)
Wildland Limited (983561)
Wind Prospect Ltd (971514)

Provision of the development plan to which the issue relates:	Environment and Heritage section (paragraphs 70 to 85), including Special Landscape Areas information.

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

Environment and Heritage – General

Amelia Walker (931321) - Supports this section of the plan. In particular feels that the natural and cultural heritage is at the forefront in Thurso when approaching from the west and should be left undisturbed.

Caithness Chamber of Commerce (983321) - Has no specific comment on this section of the plan.

Bill Badger (967160) - Supports this section of the plan. The environment should be celebrated and safeguarded and not put at risk by indiscriminate windfarm development. Tourism is compromised by poorly thought out development.

Ian Walker (979716) - Environment and heritage has been protected by the strength of the current Thurso Local Plan. Open vistas, historic areas including Pennyland House and the B Listed Smith Memorial are in jeopardy from a development which would destroy the environment and heritage of Thurso West.

Wildland Limited (983561) - Would like Kyle of Tongue National Scenic Area extended or at the least for the Council to advocate a formal Landscape Assessment carried out by SNH, with a view to designation at the LDP. Supports the western extension of the Eriboll East and Whiten Head Special Landscape Area. The Special Landscape Area overlaps/ coincides with two areas of 'Coastal Zone' – one being isolated coast around the A'Mhoine Peninsula and the other being undeveloped coast along the margins of Loch Eriboll and the Kyle itself, reflecting the scattered crofting and fishing communities along those parts of the coast. These designations all overlap with SPA, Ramsar, SAC, NNR and SSSI designations over much of this same area of land. Notes the recent addition of Wild Land Areas. Would like to extend Wild Land Area 35 to cover the whole of the A'Mhoine

Peninsula. The A'Mhoine might be the foreground between Hope and Loyal and the sea, but it is only when the reverse view is considered from the Pentland Firth that the true scale of the grandeur can be fully assessed. The A'Mhoine peninsula is the second longest area of mainland Scotland without a road, only exceeded by Knoydart. Would like to see the extension of the Cape Wrath Way explored by the Council and HIE. Notes the North Coast 500 and the benefit it has in terms of rural development and tourism in the plan area.

Conservation Areas

Wick Harbour Authority (980258) - Would like clarity on what the review of the Wick Pultneytown Conservation Area would involve.

Climate Change

Wind Prospect Ltd (971514) - Paragraph 81 should further acknowledge that new onshore wind and hydro energy developments will also be emerging between now and 2025.

SLAs

Ian Walker (979716) - With the amount of coast from Kinlochbervie to John O'Groats already under the umbrella of SLAs, it would be logical to include the whole of the coastline, including Thurso and Murkle Bays as Caithness has already been described as having a unique coastal character. Would also like to see the areas TS04 and TS12&14 considered as Special Landscape Areas.

David Doohan (980228) - The area viewed from Scrabster Hill east over the panoramic area to Dunnet Head should be a Special Landscape Area as it is a better vista than some areas already covered by the designation.

Amelia Walker (931321) - The area between Melvich and Dunnet Head should be designated as a Special Landscape Area as the scenic value is as good if not better than areas already designated. In your production for the plan, at page 100, the definition of open space is as follows: "areas of high quality, accessible and fit for purpose open space. These areas are protected from inappropriate development consistent with the HwLDP Policies 75 and 76." These should be advanced to the Thurso Bay area.

Bill Badger (967160) - Generally in agreement with the approach to Special Landscape Areas, however they are limited in size and by their existence appear to give the green light to inappropriate development in the much larger areas that are not designated as Special Landscape Areas. The Council should take all impacts into consideration both within and outwith Special Landscape Areas.

Modifications sought by those submitting representations:

Environment and Heritage – General

Wildland Limited (983561) - Extend Kyle of Tongue NSA.
Extend Wildland Area 35 to cover all of A'Mhoine Peninsula.
Commit to exploring the extension of the Cape Wrath Way (assumption of linking it with North Highland Way).

Climate Change

Wind Prospect Ltd (971514) - Amend paragraph 81 to acknowledge that new onshore wind and hydro energy developments will also be emerging.

SLAs

Ian Walker (979716) - Designate entire coastline from Kinlochbervie to John O'Groats as an SLA.

Areas originally numbered TS04 and TS12& should be SLAs.

David Doohan (980228) - Designate the area from Scrabster Hill east over to Dunnet Head as a Special Landscape Area.

Amelia Walker (931321) - Designate the area between Melvich and Dunnet Head as a Special Landscape Area.

Designate land at Thurso Bay as Open Space.

Summary of responses (including reasons) by planning authority:

Environment and Heritage – General

The general support for this section from a number of the representees is noted.

The Council assumes that Caithness Chamber of Commerce is content with this section of the plan.

Issues surrounding potential adverse impact on the environment and cultural heritage from development at Thurso West are being considered in the Schedule 4 for Thurso West.

The responsibility to designate (or extend) an NSA lies with Scottish Ministers, therefore the Council will not be extending Kyle of Tongue NSA through this plan. The Council does not think it is necessary to ask SNH to carry out a formal landscape assessment; the NSA and SLA and Wild Land Area identification processes all involved extensive landscape assessment. SNH has already produced Landscape Character Assessments covering all areas. Landscape is also afforded policy protection through Policy 61 Landscape in the Highland-wide Local Development Plan (HwLDP) (CD18) which states that new developments should be designed to reflect the landscape characteristics and special qualities identified in the Landscape Character Assessment of the area in which they are proposed. Therefore the Council feels there has already been sufficient landscape assessment carried out. No modification is proposed by the Council.

The support for the western extension of the Eriboll East and Whiten Head SLA is noted.

SNH prepared a map of Wild Land Areas in 2014 and it is not within the power of the Council to amend or alter these areas. No modification is proposed by the Council.

Cape Wrath Trail is an unofficial, unmarked long distance route. The suggestion for the Council and HIE to explore the idea of extending it i.e. linking it to the North Highland Way, has been passed to the Council's Access Officer. The following website

http://www.outdoorhighlands.co.uk/long-distance-trails/ is used by the Council's Rangers to promote both the North Highland Way and the Cape Wrath Trail.

Conservation Areas

In relation to the query from Wick Harbour Authority about Wick Pultneytown Conservation Area, it is the statutory duty of Highland Council to determine which parts of their area are of special historical or architectural interest and designate such areas as conservation areas. Wick Pultneytown Conservation Area has its own unique character. Careful and controlled management of the Conservation Area is essential to ensure that the special character is protected. Ongoing and continued monitoring and review of conservation areas is essential and allows for the formulation of enhancement schemes and may from time to time result in amendments to boundaries. Paragraph 75 sets out that appraisals may be undertaken for Conservation Areas and Management Plans prepared. Details of when this may happen for Wick Pultneytown Conservation Area are not available as the work is not yet programmed, but there will be public consultation during any review.

Climate Change

Paragraph 81 is acknowledging that onshore wind and hydro are well established in the area and that offshore and marine energy developments are emerging. Paragraph 79 also states that the Council is committed to maximising renewable energy contributions. Therefore the Council does not feel that it is necessary to add extra wording into paragraph 81 saying that new onshore wind and hydro energy developments will also emerge between now and 2025. However, if the Reporter is so minded, the Council would be agreeable to the following amendment: "with many onshore wind and hydro energy developments well established" being amended to: "with onshore wind and hydro energy sectors well established".

SLAs

The reference to the definition for open space on page 100 of the Plan, however, we take it that this is in reference to the 'open space' definition within the Glossary (which is now page 126 in the Modified Proposed Plan). The open space definition quoted, apart from one minor wording difference, is the same as the definition provided in the Glossary alongside the Main Issues Report (MIR) (CD04). It should be noted that the Proposed Plan had a different definition for Open Space and that has been carried forward to the Modified Proposed Plan. The representee wishes to see an Open Space allocation for land at Thurso Bay. The Proposed Plan Thurso map shows existing greenspaces around Thurso Bay to be safeguarded (see "greenspace" definition in the glossary). If the public park proposal were to be delivered then it would qualify for Greenspace/Open Space safeguard. Blanket "no development" across a wider area is not appropriate. No modification is proposed by the Council.

Support for the western extension of the Eriboll East and Whiten Head SLA is noted above, under "Environment and Heritage – General". SLAs are regionally valuable landscapes identified to protect and enhance landscape qualities and promote their enjoyment. Sites identified in the MIR as TS06 and TS18 and as TS04 and TS12&14 respectively in the Proposed Plan, are both pieces of land within the SDA for Thurso. It would therefore not be appropriate to designate individual pieces of land within a settlement as SLAs. The areas in between SLAs do not give a green light to inappropriate development. In many instances land around (and within) SLAs is covered by other

designations. Even if land is not covered by a designation, all development proposals are assessed against the policies in the HwLDP (CD18), including consideration of any impact of development on any nearby SLAs. There have however been suggestions for some new SLAs and for the whole of the coast from Kinlochbervie to John O'Groats to be an SLA. The consultation on the SLAs through the CaSPlan MIR (CD04) was concerned with "fine-tuning" of boundaries - relatively minor adjustments to boundaries of existing SLAs to ensure they enclose areas of similar landscape and/or to ensure that the boundary did not inadvertently sever a landscape feature, having regard to the SLA Citations (CD45) and SNH's Caithness and Sutherland Landscape Character Assessment (CD46). The consultation was not aimed at identifying new SLAs. The original methodology used for SLAs selection/identification was challenged through Highland-wide Local Development Plan (HwLDP) Examination and the Reporter supported the current SLAs, subject to the Council considering any boundary amendments through the Area Local Development Plans. This was the approach followed by the Inner Moray Firth Local Development Plan (adopted July 2015) and it was accepted by the Reporter during its Examination process. It would be a significant piece of work to re-evaluate SLAs across Highland and possibly identify new criteria and scoring for their identification. Having considered the above the Council is happy with the boundaries of the existing SLAs and the conclusions of the HwLDP Examination on this issue. Therefore the Council considers that there should be no new SLAs identified in this Plan.

Reporter's conclusions:

Environment and Heritage – General

1. One of the four outcomes which make up the Plan's vision for 2035 is Environment and Heritage: High quality places where the outstanding environment and natural, built and cultural heritage is celebrated and valued assets are safeguarded.

2. The Plan acknowledges that the natural and historic environment of the area is rich, containing: internationally and nationally recognised sites, species and habitats; locally valued sites and landscapes; dramatic landforms, and a diverse cultural heritage.

3. The Plan has revised the boundaries of Special Landscape Areas to ensure that key designated landscape features are not severed, and distinct landscapes are preserved.

4. I note the general support from Amelia Walker and Bill Badger for this section of the Plan, and for the need to safeguard the natural and cultural heritage of the area against development which would damage the environment.

5. However, the comments about the potential impacts of proposed development on particular heritage features in Thurso are matters for consideration elsewhere in this report at Issues 10 (Thurso), 11 (Thurso Site TS04) and 12 (Thurso Sites TS12 and TS14), and not for this Issue which concerns the more general provisions of the Plan relating to environment and heritage.

6. Similarly, I consider that the request to designate land at Thurso Bay as open space is a matter for Issues 10-12, which deal with representations about the Plan's proposals for Thurso, rather than this Issue. I note that the proposals map for the town shows a protected greenspace corridor around the bay from the edge of Scrabster almost to the River Thurso. However, any wider designation of land for open space purposes in Thurso would require to be considered within the context of the specific circumstances of the

town.

7. I therefore do not propose to alter this part of the Plan in response to the above representations.

Cape Wrath Way

8. I can see the attraction of linking the Cape Wrath Way (which itself is an extension to Cameron McNeish's Scottish National Way) with the North Highland Way. However, the Cape Wrath Trail and the North Highland Way are described as virtual routes amongst the long distance trails in the Highlands listed on the Outdoor Highlands website, as distinct from e.g. the West Highland Way (one of "Scotland's great trails") and the Affric Kintail Way ("other routes").

9. The North Highland Way from Duncansby Head to Cape Wrath follows obvious trails in some areas, but in others there is no trail and it just involves walking along the coast. Similarly, the route of the Cape Wrath Trail from Fort William to Cape Wrath is unmarked and there is no official line. I consider that the proposal to link the two routes is not a matter for the Local Development Plan, but is best investigated by the council's Access Officer as the council now proposes. I therefore do not intend to modify the Plan in the light of this representation.

A'Mhoine peninsula

10. This peninsula lies in north west Sutherland, between the Kyle of Tongue (to the east) and Loch Eriboll (to the west). It stretches from the sea cliffs at Whiten Head to the moorland fringes of Ben Hope. A'Mhoine is largely uninhabited, apart from the small crofting townships at Melness on the west side of Tongue Bay. However, the peninsula is bisected by the A838, now part of the North Coast 500.

11. The Kyle of Tongue National Scenic Area (NSA) contains the eastern edge of the peninsula, together with the mountainous area including Ben Hope and Ben Loyal to the south of the peninsula. The north and west coasts of the peninsula are designated as a Special Landscape Area.

12. Most of the southern half of the peninsula, to the south of the A838, lies within the Ben Hope – Ben Loyal Wild Land Area, which covers the area between Loch Hope (to the west) and Loch Loyal (to the east).

13. The representation from Wildland Limited seeks to extend the area of designated wild land to encompass the entire A'Mhoine peninsula, and to extend the Kyle of Tongue NSA (presumably to cover the whole peninsula).

14. Scottish Natural Heritage (SNH) published the map of Wild Land Areas (the most extensive areas of high wildness) in 2014, following a comprehensive assessment and consultation exercise. A full description of each Wild Land Area, which includes their key attributes and qualities, is available on the SNH website. Wild Land Areas are not a statutory designation, but they are identified as nationally important in Scottish Planning Policy (SPP).

15. I note that the identification of Wild Land Areas, and any revision to their boundaries, are the responsibility of SNH, and are not questions to be addressed by the planning

authority in the Local Development Plan.

16. NSAs are designated as nationally important for their scenic quality, and represent the best areas of the type of scenic beauty popularly associated with Scotland and for which it is renowned. They were originally identified by the Countryside Commission for Scotland in 1978, and have been recognised in the planning system since 1980. No new areas have been identified since 1978, but SNH has surveyed the existing NSAs and produced a list of the special qualities which justify their designation.

17. Under the provisions of section 263A of the 1997 Town and Country Planning (Scotland) Act (as amended in 2006), it is the Scottish Ministers who designate NSAs, after consulting SNH and others. There is no role for the Local Development Plan in the process.

18. I conclude that there is no justification (or ability) to modify the Plan to extend the NSA and the Wild Land Area to include the entire A'Mhoine peninsula. Those aspirations would require to be pursued with SNH and the Scottish Government.

Conservation Areas

19. The Highland Council is under a general duty on planning authorities to designate, review and monitor conservation areas. With that in mind, the Plan identifies three potential new conservation areas in Caithness and Sutherland and one potential extension to an existing conservation area. In addition, the council proposes to review the three other existing conservation areas, including Wick Pultneytown.

20. The proposed reviews could lead to enhancement schemes, or an adjustment to the boundaries of the conservation areas, or both. There will also be the opportunity to prepare conservation area appraisals, which could provide the basis to develop programmes of action.

21. The timing and outcome of the proposed review of Wick Pulteneytown Conservation Area are unknown at present, but will be publicised at the appropriate time in order that interested parties can contribute to the discussion. I therefore see no need to modify the Plan in the light of the representation.

Climate Change

22. This section of the Plan stresses the planning authority's commitment to reducing carbon emissions and maximising the contribution of renewable energy. Paragraph 81 of the Plan states that the area has a substantial renewable energy resource, with many onshore wind and hydro energy developments well established and marine energy developments currently emerging.

23. The representation contends that the Plan should additionally acknowledge that new onshore and hydro will also be emerging between now and 2035. I consider that the planning authority's suggested modification would adequately recognise the established role of these sectors, without attempting to predict their respective contributions in the future. I propose to modify the Plan accordingly.

24. I note that detailed policies and guidance on the matter are available in other elements of the development plan for the area; notably in the Highland-wide Local Development

Plan (HwLDP) including Policy 67: Renewable Energy Developments, and the Onshore Wind Energy Supplementary Guidance. There will be an opportunity to comment on any proposed amendment to the policy during the review of the HwLDP.

Special Landscape Areas

25. Special Landscape Areas (SLAs) are regionally valuable landscapes which are identified to protect and enhance landscape qualities and promote their enjoyment. They are protected under the HwLDP, which states that within these areas it will be particularly important for landscape change to relate to the key characteristics and special qualities of the designated area.

26. The accompanying Assessment of Highland Special Landscape Areas (2011) reviewed the local landscape designations in the Highland Council area, and summarised the key landscape and visual characteristics for each SLA. The areas concerned were identified in the Highland Structure Plan 2001, having regard to the 1998 Caithness and Sutherland landscape character assessment, and following an evaluation against a series of set criteria:

- combinations of land character types which provide attractive or unusual scenery;
- land forms and scenery that are unusual or rare in the Highland context;
- dramatic and striking landscapes and coastlines;
- characteristic Highland landscapes of rugged mountain cores and indented coastline;
- dominant mountain massifs; and
- juxtapositions of mountain and moorland which set each other off to striking visual effect.

27. The Assessment in 2011 was not intended as a comprehensive review of local landscape designations. The report advised that the planning authority intended to consider minor boundary amendments to the SLAs as the Area Local Development Plans are progressed.

28. During the preparation of the current Plan, the planning authority consulted on the revision of SLA boundaries in order that they better reflect the landforms identified, avoid severing landscape features, and ensure any extensions reflect similar special landscape characteristics. The changes are relatively modest ones (e.g. the extension to the Eriboll East and Whiten Head SLA to include the whole of the island of Eilean Choraidh). No new SLAs are proposed in the Plan.

29. A number of representations to the Plan propose extensions to the designated SLAs. The suggestions vary in scope from local to very wide ranging. At one extreme, I do not consider that the proposal to designate the entire coast from John O'Groats to Kinlochbervie can be justified against the above criteria. Even a drive along the coast road reveals that the landscape is not of uniform quality, though there are sections of great landscape interest. I can see a risk that the designation would be devalued if it was not confined to truly special landscapes.

30. Thurso Bay is largely developed by the town of Thurso and the neighbouring port of Scrabster. I agree with the planning authority that the proposal to designate sites TS04, TS12 and TS14 as Special Landscape Areas is inappropriate, as they lie within the Settlement Development Area, and could not meet the designation criteria for SLAs listed

above. Nor does there appear to be anything particularly exceptional in the section of coastline between Thurso and Dunnet Bay, in comparison with other lengths of the north coast, which would justify SLA status.

31. In order to determine whether any other parts of the Caithness and Sutherland coast, including the sections between Melvich and Dunnet Head might warrant SLA designation, it would be necessary to carry out a comprehensive assessment similar to that conducted in 2001, which is a task outwith the scope of the current Plan.

32. In any case, I do not consider that SLA designation is required in order for the landscape impact of a proposal to be properly assessed and taken into account. In relation to all areas (within and outwith SLAs), Policy 61 of the HwLDP requires all new developments to be designed to reflect the landscape characteristics and special qualities identified in the Landscape Character Assessment of the area in which they are proposed.

33. I conclude that there is no need to alter the Plan in response to the representations on the Special Landscape Areas.

Reporter's recommendations:

I recommend that the following modification be made:

Climate Change

1. Under the Environment and Heritage section of the Strategy and Policies, page 19, adjust paragraph 81 so that it reads:

"The area also has a substantial renewable energy resource, with onshore wind and hydro energy sectors well established and offshore and marine energy developments currently emerging."

Issue 7	**Castletown**	
Development plan reference:	Castletown, page 23 - 26	**Reporter:** Dilwyn Thomas

Body or person(s) submitting a representation raising the issue (including reference number):

Angus Cowap (970363)
Audrey Young (979993)
Caithness Chamber of Commerce (983321)
Eddie Todd (978135)
George Campbell (979545)
Gina Grunskis (980243)
Heather Calder-Macphee (977117)
Neil Redgate (978151)
Paul Vincent Tait (979013)
Scotia Homes Ltd (909099)
Scottish Water (953627)
SEPA (906306)
Susan Parmenter (981495)
Wendy Shearer (978313)

Provision of the development plan to which the issue relates:	Castletown settlement text, placemaking priorities and site allocations.

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

Castletown General

Angus Cowap (970363) - Greater clarity over the plans for green corridors, particularly the possibility of connecting Thurso and Castletown by off-road shore line cycle and walking route as articulated in the Prince's Regeneration Trust Masterplan of 2007 to facilitate access to the leisure and tourism assets of Castlehill Policies, Harbour, Heritage Centre, Beach, Dunnet Bay and forest by families on cycles and foot rather than motor vehicles.

Provision of WC facilities near the small parking area at the western end of the beach as none exists at the moment for visitors.

Improvement/maintenance works to footpath along dunes Dunnet Bay beach, at moment you have to walk some parts along A836 road due to degradation

Application for clean beach accreditation

Neil Redgate (978151) - Respondent argues that the Plan is 'incomplete' and 'not fit for purpose' due to the Plan not showing the sites which were not taken forward from the Main Issues Report, i.e. MIR site refs CT05, CT10 and CT12.

Caithness Chamber of Commerce (983321) - Respondent has clicked Object but stated "We have no specific comments on any of the proposals or priorities."

CT01 – Land North of Harland Road (Long Term Housing site)

Heather Calder-Macphee (977117), Eddie Todd (978135), Wendy Shearer (978313), Neil Redgate (978151), Paul Vincent Tait (979013), Audrey Young (979993), Gina Grunskis (980243), Susan Parmenter (981495) - Objects to the inclusion of the long term housing site for one or more of the following reasons:

- The eastern boundary does not fit any natural or existing boundaries and would be a hard and ugly boundary to the village.
- No demand for additional housing in Castletown, more housing will reduce house prices in the area. Many houses currently on the market.
- There are better alternatives sites in village and planning permission exists for 48 houses in other areas of the village.
- Lack of employment opportunities to attract/retain people, e.g. Dounreay, oil sector.
- The noise, pollution and general disruption would compromise residents quality of life as well as potentially decrease the value of neighbouring property.
- Taking access from Harland Road and increased traffic levels will make it more dangerous for children. The new road layout would be used inappropriately by boy racer and could be used as a rat run. The access point is already tight and busy with traffic. The access proposed from Harland Road would impact on residents who currently take access from and park their cars along this part of the road.
- CT01 does not fulfil the first placemaking priority on promoting opportunities for redevelopment, infill within the village centre and brownfield sites. It does not protect the farmland and woodland landscape of the village.
- It would result in piecemeal development
- There have been regular flooding issues on certain parts of CT01
- The land at CT01 is a haven for wildlife and provides a corridor between the woodlands. The green corridors are insufficient and development would damage the ancient/long established woodland at Burns of Strangergill and Garth.

Other concerns raised include:

- about the timescales of development,
- extent of greenspace setback from the existing houses; and
- why not all residents in Harland road received the neighbour notification.

Neil Redgate (978151) - The boundary of the SDA has been drawn up incorrectly with respect to Burn of Garth woodland. It cuts across the woodland on the south east side of the settlement whereas the woodland extends northwards to the small power cable exchange building. If this was included within the SDA then the parameters of CT01 would have been different.

No explanation has been made in the Plan for CT01 being included as a long term housing site.

A better site would be to the east of Harland Road as it fits with the infill requirement and minimises impact on the woodland connectivity. This is a much smaller plot of land tucked away, on level ground, not prone to flooding and also falls within the existing field boundaries.

Another plot of land suitable for infill is the farmland, on the south side of B876, between

the Primary School and former surgery and connects the village (and school) to the disjunct group of houses at the edge of the village boundary. It also is neatly defined by existing field boundaries.

Any housing in the CT01 area would impact on the mental health and well-being of respondent's wife. She does not leave the house very much and relies on and enjoys the wide open views of woodland, coastline, dunes and farmland.

Scottish Water (953627) - Although the site has been designated as Longer Term site, Scottish Water would recommend that any current or prospective developers interested in delivering the site, to make contact with Scottish Water as early as possible to understand any specific infrastructure of investment requirements required by either party.

CT02 – Castlehill Steading and CT06 – Land at Shelley Hill

George Campbell (979545) - The client, who owns the land between Castletown and Castlehill has supported planned development of the land since the drafting of the Caithness Local Plan. Scotia Homes subsequently purchased land near the steading for development. They received planning permission in March 2013 for 28 new build houses and conversion of the steading. Scotia Homes also have an option to purchase adjoining land for further development.

Respondent objects to the provisions of the Plan for the Castlehill/Shelley Hill area of Castletown insofar as they do not accurately reflect the:

(a) agreed Castletown Master Plan;
(b) adopted Highland wide Local Development Plan;
(c) Main Issues Report of the CaSPlan; and
(d) development approved under 11/00403/FUL.

A. Agreed Castletown Master Plan. The Castletown Village Masterplan is endorsed in the Highland wide Local Development Plan, notably in Policy 26. The phasing plan shown in the Masterplan is not fully reflected within the Plan. The masterplan shows Phase 1 including Castlehill Steadings and associated quality new build (OPA granted) 40-50 new houses, plus conversion/re-use of steadings." However, the Plan allocation CT02: Castlehill Steading only allocates land with a capacity for 28 houses, as per the new build element of the permission granted under 11/00403/FUL. The agent considers that the inclusion of additional land for potential development of "40-50 new houses, plus conversion/re-use of steadings" in the Plan period would be more in keeping with the Masterplan.

In relation to Phase II:

(1) Part of the Phase I land at Castlehill is indicated for longer term development in the Plan.
(2) The north eastern and south eastern parts of the Phase II land adjacent to the existing village do not form part of the longer term mixed uses area under CT06 in the Plan.
(3) Not all of the eastern (Later Phases) section of the development land in the open field south of Castlehill is included in the CT06 area.
(4) The desired Place-making Priority of a better connection of the village with Castlehill and the harbour from the centre of Castletown is shown in conjunction

with the long term potential for mixed use expansion. However, the Masterplan phasing plan clearly shows this as part of Phase I.

(5) Most of the route of this link will serve as a vehicular access for development on both sides. As such in would generally be constructed in conjunction with the phased development of land extending both from the village and Castlehill directions, indicated as Phases I and II in the Masterplan. Earlier completion of the whole link in advance of adjacent longer term development will depend on farming operations either side.

B. The Council's intention "to adopt the guidance following consultation and possible amendment as supplementary guidance to this plan". As the Proposed Local Development Plan is not consistent with the guidance contained in the Castletown Masterplan it does not comply with the Highland wide Local Development Plan.

C. The MIR fully embraced the Castletown Masterplan. It is noted that in response to the comments received on the MIR the Council agreed that the amount of land allocated in the Masterplan was too much and the growth rate was too optimistic. However, the Proposed CaSPlan, in attempting to split up the overall allocation into Plan period and longer term development areas key parts of the Masterplan land have been left out altogether with little thought to the practicalities of how the land at Castlehill and Shelley Hill can be developed. In addition, Scotia Homes Ltd recently submitted a further planning application to renew the permission granted at Castlehill in March 2013. The respondent believes that the commencement of development of this land within the Plan period will help generate interest in further development over nearby land. The CaSPlan needs to remain flexible and allocate the additional land in a manner that is more in keeping with the agreed Masterplan.

Comments specific to CT02: Castlehill Steading:

(1) This allocation shown on the Castletown Inset Map does not accurately reflect the area granted planning permission in March 2013 under 11/00403/FUL. The southern boundary of this approved development site is actually a bit further south than indicated in the Inset Map. The "Site Access" arrow is not in the location of the approved main access to the site.
(2) The application was for 28 new build dwellings plus a further 6 through conversion/restoration of the steading to the north. The indicative housing capacity should therefore be for more than 28 dwellings.
(3) The 3.9 ha. of allocated land extends well beyond the boundaries of the area granted permission into the area of the demolished Castlehill House and its immediate environs. To avoid confusion and reflect the additional development potential indicated in the Castletown Master Plan, it is suggested that the land not covered by the 11/00403/FUL permission should form a separate allocation for mixed use.
(4) The approved development area should be a stand alone allocation but for housing. Apart form the retail ground floor use approved on one of the plots, the development is in all other respects residential.
(5) The allocation should also exclude the Heritage Centre, which is an existing use in part of the Castlehill steading.
(6) Whilst a Tree Protection and Management Plan together with a protected species walkover survey are developer requirements, the existing allocation does not specifically safeguard the woodland between the former Castlehill House site and the open field to the south. This area should therefore be indicated as Green

Space.

Comments specific to CT06: Land at Shelley Hill:

(1) This allocation does not accurately reflect the Castletown Masterplan. Whilst the blanket allocation indicated in the Main Issues Report (CT01) is not requested, in breaking this down into smaller allocations the Plan should at least have accounted for the key development areas and components of the Masterplan.
(2) No account is taken of the potential for development immediately adjacent to Castletown that replicates part of the grid pattern of the existing village.
(3) The boundaries of the allocation should also account for the single plot depth development potential either side of the proposed avenue to connect the village to the harbour.
(4) The allocation should also extend to the edge of the woodland on the eastern side and not leave a narrow triangle of ground, which would be difficult to cultivate if retained in agricultural use.
(5) As indicated at 4.2 above, the approved Scotia Homes site at Castlehill is the subject of renewed interest. Whether or not development of this area commences in the short term, it is considered that additional land that allows for a choice of housing sites and complements this higher density form of development within the Plan period is an omission from the Plan.
(6) It is requested the inclusion of the strip of land immediately north east of the village edge, in line with the Castletown Masterplan. In addition to meeting shorter term local demand for medium density housing development close in to the village and existing amenities, the western part of this land has more potential for additional uses such as a residential care home.
(7) The longer term allocation of all of this land, as indicated in Plan CT06 allocation, will hinder such demand being met. This in turn will place more pressure on the surrounding countryside for un-planned single house developments that are often at odds with the settlement pattern and continued farming operations on adjacent land.
(8) The upper and lower parts of this field can be serviced by existing infrastructure, notably drainage and roads without prejudicing the connecting development strip and avenue in the longer term. It would be more cost effective for these areas to be connected by gravity to the existing foul drainage system than CT03, which requires the pumping of effluent.
(9) The eastern part of the strip of land, north east of MacKay Street offers potential for further housing, perhaps beyond the Plan period.
(10) There is also scope to include provision for amenity open space and/or allotments between the existing built up area and new development.
(11) The potential to form vehicular accesses at each end of this land, consistent with the Castletown Master Plan, should be indicated. This will allow development to progress in the event that the current open area of land adjacent to MacKay Street is not made available or its use as a vehicular access is objected to. In this latter regard the Community Council had expressed concerns in response to the Main Issues Report.
(12) Development of the field either as indicated in the Plan or in the manner now requested will leave two smaller fields. These would not be viable to retain in agricultural use in the longer term. However, until the land is developed retaining it in agriculture is the best way of managing it in the interim. The indication for expansion of the ‘green network’ would be appropriate but it is suggested that the Plan is more specific about the range of potential future uses such as open space

for formal and informal use and community allotments.

The respondent provided an attached plan of Castletown illustrating the requested modifications.

Scotia Homes Ltd (909099) - Scotia Homes Ltd objects in relation to specific proposals at Castletown and respectfully requests modifications to the allocations at CT02: and CT06: Land at Shelley Hill, both in relation to the settlement text and to the boundaries of the allocations.

It is considered that the allocations in the Proposed CaSPlan fail to accurately reflect the planning history of land at Castlehill and are inconsistent with both the development plan context for Castletown and the Castletown Village Masterplan, 2007. The following modifications are suggested having regard to this context, which is set out in further detail below.

Scotia Homes object to the boundaries of both CT02 and CT06 and would suggest the following modifications are made to the designations:

- CT02: Castlehill Steadings should be divided into two sites, that is, CT02A: Castlehill Steading Phase 1 and CT02B: Castlehill Steading Phase 2. Site CT02A should reflect the boundary of Planning Permission Ref: 11/00403/FULL, illustrated as Site 1 in Figure 1 above. This boundary could also take in the heritage visitor centre. Site CT02B should incorporate within its boundary the second phase to this approved development, together with the creation of a connecting access road from Castlehill to Castletown, illustrated as Site 2 in Figure 1 above.
- CT06: Land at Shelley Hill should be extended to include land to the east and west, illustrated as Site 3 in Figure 1 of the attachment, with future development guided through a more detailed masterplan for the site.

The supporting text should be amended as follows:

- CT02A: Castlehill Steading Phase 1 should be identified with an indicative housing capacity of 34 on an area of 1.7 hectares to reflect the planning approval on the site, which now contributes to the effective housing land supply. The site should be designated for ‘housing’ not ‘mixed use’ development, again to reflect the planning consent for the site, which comprises only 1 no. commercial unit.
- CT02B: Castlehill Steading Phase 2 should be identified with an indicative housing capacity of 35 on an area of 1.5 hectares, with developer requirements similar to CT02, but also including a requirement to deliver the road connection to Casteltown.
- CT06: Land at Shelley Hill, which extend to approximately 14.5 hectares (including to road corridor), should be brought forward into the period of this CaSPlan and the reference to ‘long term’ removed. The supporting text should incorporate a requirement that development of this land will be guided through a masterplanning process, having regard to the Castletown Village Masterplan, 2007, allowing flexibility on the future boundary for built development and green networks.

The main reasons for these suggested modifications include:

- Planning history – Planning Permission (Ref: 11/00403/FUL) was granted in 2013 for the conversion of the existing derelict steading to provide 6 no. residential units,

the erection of 28 no. new residential properties, including a mix of flats and houses, together with a 1 no. commercial (shop) unit. The application submission and Design and Access Statement clearly identified that the application formed Phase 1 of the development at Castlehill Steadings and that Phase 2 would continue on land to the east. Phase 2, together with the connecting access road to future mixed use development, was approved as a drawing by Highland Council. An application for the renewal of this permission was lodged in February 2016 (16/00927/FUL). In addition, the Highland Housing Land Audit 2014 allows for 16 units at Castlehill Steading and 29 units on land to the south allocated in the adopted Local Plan for up to 25 units. It is considered that the planning history relating to this site and the clear commitment to its delivery by Scotia Homes Ltd, supports the allocation of Site 1 and Site 2 identified in Figure 1 for housing development in the period covered by this CaSPlan.

- A further commitment to the allocation of land to the north of Castletown, on land identified as Site 3 in the attachment, in the period covered by this CaSPlan, is also supported on the basis that this land forms an intrinsic part of the overall Masterplan vision for Castletown, with the connecting road offering the opportunity to secure further housing along its route together with some additional housing to the north of Castletown, again in accordance with the Masterplan vision for the area.
- Development Plan context – Caithness Local Plan (2002) illustrates that Sites 1 and 2, are allocated for housing and CaSPlan should reflect this site specific allocation and increase the capacity of the site to reflect the consented layout for 29 houses and the additional capacity for a further 35 houses.
- Policy 26 of the HwLDP supports the delivery of the Castletown Masterplan. CaSPlan is not consistent with the Castletown Village Masterplan and therefore conflicts with the requirements of the HwLDP. Paragraph 17.8.2 of the Highland Wide Local Development Plan (HwLDP) confirms that the Masterplan for Castletown (Map 16) will provide a framework for considering proposals in advance of the new Area Local Development Plan being prepared.
- The HwLDP had anticipated possible amendments to this guidance, following consultation, and although this revision has not taken place Policy 26 identifies a number of principles to be established within this future masterplan. Key principles relevant to these sites include protecting and enhancing the character of the village, establishing a stronger connection between Castletown and Castlehill and setting out phasing as a guide to growth and providing a clear steer on the direction(s) and emphasis for long term growth proposals. It is considered that both the proposals map and text, relating to Shelley Hill, are too prescriptive and that the location of new development and its phasing should be guided by the Masterplan and amendments to it, rather than through the designations in the Proposed CaSPlan, which may preclude the delivery of the key principles of Policy 26
- The land in Scotia Homes' ownership and control illustrated in Figure 1 forms an integral part of the vision identified in the Masterplan for Castletown prepared by the Princes' Foundation for the Built Environment and The Prince's Regeneration Trust, as part of the North Highland Initiative. The proposals within the Masterplan are underpinned by the Enquiry by Design (EbD) Process undertaken for Castletown in the summer of 2007. The report provides a future vision for Castletown, based on a regeneration and heritage action plan, with the completed Masterplan illustrated in Figure 7: Enquiry by Design Completed Masterplan. In order for CaSPlan to be consistent and accord with both Policy 26 an the Masterplan, it is considered that residential development, should be allocated in accordance with the completed Masterplan
- Proposed CaSPlan, may not be the most appropriate and it is suggested that the

nature of the allocation requires further reconsideration or justification through a masterplanning process, not least the splitting up of the field, leaves divorced parcels of land on either side which would have an adverse effect on the ability to farm this remaining land.

Angus Cowap (970363) - Respondent is at an advanced stage of purchasing the western part of CT02. Objects to the proposed paths shown as crossing the middle of CT02 east to west and north to south as this would negate the development of this particular small space for mixed use. A better route would be to take the path through a gap in the stone wall at the western edge as shown rather than straight through the middle of the only usable structure on the site the old stone built vaulted harbour frontage. Understands that a Programme of Archaeological Work and Tree protection and Management plan has already been carried out on this site.

SEPA (906306) - The northern boundary of CT02 is adjacent to the Coastal Flood Map and a small watercourse runs through the south east section of the site. Parts of the site are therefore at risk of flooding. As a result we object unless the following developer requirement text is added: “Flood Risk Assessment (no development in areas shown to be at risk of flooding).” This amendment will help protect people and property from flood risk and ensure (1) compliance with the flood risk avoidance position in paragraphs 255 and 263 of Scottish Planning Policy, (2) that developers are aware that flood risk may be a constraint on development of part of the site which will assist in delivery in line with Scottish Planning Policy paragraph 30, which states that “Development plans should:…set out a spatial strategy which is both sustainable and deliverable, providing confidence to stakeholders that the outcomes can be achievable” and (3) ensure that developer requirements for all sites thought to be at risk of flooding are dealt with consistently throughout the plan. This advice is also in line with the Flood Risk Management (Scotland) Act 2009 which places responsibility on the Scottish Government, SEPA, Scottish Water and local authorities to exercise their flood risk related functions with a view to reducing overall flood risk. It will also ensure that the mitigation outlined in the Environmental Report is delivered in the Plan.

Scottish Water (953627) - Although CT06 has been designated as Longer Term site, Scottish Water would recommend that any current or prospective developers interested in delivering the site, to make contact with Scottish Water as early as possible to understand any specific infrastructure of investment requirements required by either party.

<u>CT03 – Former Castlehill Gardens</u>

Scottish Water (953627) - Due to the potential requirement for a pumped water supply in relation to the site topography, it is recommended that any developer progressing with the site makes contact with Scottish Water Customer Connections to determine the specific requirements in line with what is being built.

SEPA (906306) - A small watercourse runs through the site. There are groundwater features in close vicinity of the site which may indicate a shallow water table and potential for groundwater flooding. Parts of the site are therefore at risk of flooding. As a result we object unless the following developer requirement text is added to the plan: “Flood Risk Assessment (no development in areas shown to be at risk of flooding).” This amendment will help protect people and property from flood risk and ensure (1) compliance with the flood risk avoidance position in paragraphs 255 and 263 of Scottish Planning Policy, (2) that developers are aware that flood risk may be a constraint on development of part of the

site which will assist in delivery in line with Scottish Planning Policy paragraph 30, which states that "Development plans should:…set out a spatial strategy which is both sustainable and deliverable, providing confidence to stakeholders that the outcomes can be achievable" and (3) ensure that developer requirements for all sites thought to be at risk of flooding are dealt with consistently throughout the plan. This advice is also in line with the Flood Risk Management (Scotland) Act 2009 which places responsibility on the Scottish Government, SEPA, Scottish Water and local authorities to exercise their flood risk related functions with a view to reducing overall flood risk. It will also ensure that the mitigation outlined in the Environmental Report is delivered in the Plan.

CT05 – Former Free Church, Main Street

George Campbell (979545) - A path is indicated connecting Main Street with the former flagstone quarry/landfill area towards Castlehill. Please be aware that just beyond the north eastern boundary of this allocated site there is a steep drop into the former quarry. This currently presents a danger and therefore the formation of a path in this location is not advisable.

Modifications sought by those submitting representations:

Castletown General

Angus Cowap (970363) - Greater clarity on green corridors, particularly an active travel link connecting Thurso and Castletown.

Inclusion of toilet facilities at the western end of Dunnet Beach

CT01 – Land North of Harland Road (Long Term Housing site)

Heather Calder-Macphee (977117), Eddie Todd (978135), Wendy Shearer (978313), Neil Redgate (978151), Paul Vincent Tait (979013), Audrey Young (979993), Gina Grunskis (980243), Susan Parmenter (981495) - Removal of CT01 from the Plan

Neil Redgate (978151) - Land east of Harland Road to be identified as a long term housing site (before CT01). Another alternative site is west of the primary school.

CT02 – Castlehill Steading

Angus Cowap (970363) - Removal of the proposed paths shown as crossing the middle of CT02 east to west and north to south. An alternative is proposed through a gap in the stone wall at the western edge of the site.

Removal of Developer Requirement for an Archaeological Work and Tree protection and Management plan

SEPA (906306) - Add the following developer requirement "Flood Risk Assessment (no development in areas shown to be at risk of flooding)."

CT02 – Castlehill Steading and CT06 – Land at Shelley Hill

George Campbell (979545) - Better reflect the phasing strategy as shown in the Castletown Masterplan.

An alternative plan is proposed (see agent's attachment) which sets out land uses and access points.

Separate CT02 to reflect the two different land ownerships – Scotia Homes Ltd and Castlehill Policies.

Enlarge the allocation to include the full extent within Scotia Homes Ltd ownership which also reflects the live planning permission 11/00403/FUL. Also increase the indicative housing capacity and amend location of the Site Access point to reflect the planning permission. Change Scotia Homes Ltd site from Mixed Use to Housing only. Remove the Heritage Centre from the allocation.

Include reference to the Council's intention to "adopt the guidance following consultation and possible amendment as supplementary guidance" to be consistent with HwLDP.

Remove the woodland between the former Castlehill House site and the open field to the south from the allocation and identify as Greenspace. Remove the developer requirement for a Tree Protection and Management Plan and species walkover survey (assumed).

Scotia Homes Ltd (909099) - Separate CT02 to reflect the two phases set out in the planning permission 11/00403/FULL and the connecting access road from Castlehill to Castletown.

Castlehill Steading Phase 1 should be identified with an indicative housing capacity of 34 on an area of 1.7 hectares to reflect the planning approval. The site should be reallocated as Housing rather than Mixed Use.

Castlehill Steading Phase 2 indicative housing capacity for 35 on an area of 1.5 hectares, with developer requirements similar to CT02, but also including a requirement to deliver the road connection to Casteltown.

CT06 should be allocated for development within the Plan period and enlarged to include all the land at Shelley Hill (as shown in the MIR)

The Castletown Masterplan in order to guide new development should be amended as necessary and then adopted as supplementary guidance.
The Plan should be more specific about the potential future uses of the area shown as Expansion of the Green Network.

<u>CT03 – Former Castlehill Gardens</u>

SEPA (906306) - Add the following developer requirement "Flood Risk Assessment (no development in areas shown to be at risk of flooding)."

<u>CT05 – Former Free Church, Main Street</u>

George Campbell (979545) - Remove the "Proposed Path" between Main Street and the former flagstone quarry/landfill area towards Castlehill.

Summary of responses (including reasons) by planning authority:

Castletown General

Thurso and Castletown are located along the North Highland Way which is an unofficial walking route from John O'Groats to Cape Wrath. Although the Council recognises the potential recreational and tourism benefits of enhanced connections and long distance travel routes there are no plans to formalise it at present. The comment has been passed to the Council's Access Officer for consideration. No modification is proposed to the Plan. Although new toilet facilities would be desirable, existing toilet facilities are provided on a seasonal arrangement towards the eastern end of the beach. Given the reductions in the Council's budget (CD38) for public conveniences from £1.233m to £639k by 2018 it is unlikely that new toilet facilities will be built on the western side of the beach.

The submission of an application for clean beach accreditation is not a planning issue.

The comment that the Plan is 'incomplete' and 'not fit for purpose' due to it not showing all the Main Issues Report (MIR) (CD04) sites is incorrect. The MIR is a discussion document intended to show all the site options which were made available at that time, including all those submitted during the Call for Sites process. The Proposed Plan is considered as the settled view of the Council, and sets out the agreed vision, strategy and site allocations.

CT01 – Land North of Harland Road (Long Term Housing site)

Planning context

The existing Caithness Local Plan (2002) (CD17) identifies the land north of Harland Road as the main expansion area for Castletown. Potential development sites in Castletown were reassessed as part of the preparation for The Prince's Trust Castletown Masterplan in 2007 (CD26) which aimed to formalise a vision and strategy with engagement and consultation from the local community. Policy 26 in the Highland-wide Local Development Plan (HwLDP) (CD18) provided weight to the masterplan stating that it would provide a framework for considering proposals in advance of the new area Local Development Plan.

Given this context the Castletown Masterplan formed the basis of the preferred strategy set out within the MIR with preferred sites at both Shelley Hill and north of Harland Road. The results of the CaSPlan Monitoring Statement (CD06) and further analysis of housing development trends make it clear that the levels of growth were not attainable during the Plan period. Consequently a smaller allocation was identified at Harland road than in the Caithness Local Plan (CD17).

The Plan identifies CT01 as a Long Term Housing site. This was mainly due to the revised Housing Need and Demand Assessment (HNDA) (CD10) which showed less demand for new housing in Caithness than previously anticipated and alternative sites elsewhere in the village were considered more appropriate including the former steading at Castlehill which has live consent for a housing development. By identifying it as a Long Term site the Council is indicating the likely preferred direction for growth beyond the period covered by this Local Development Plan. The suitability of these sites for development has been subject of initial consideration through the preparation of this Plan. However, they are not being invited for development within this Plan period and allocated sites are expected to be developed before any long term sites can be considered. During future reviews of the Plan we will consider bringing forward long term as allocations

(subject to further assessment and identification of any developer requirements) or whether they still reflect the likely preferred direction for growth and should remain proposed as long term sites. As a Long Term site the boundary shown is only indicative. Should the site come forward as an allocation in a future review of the Plan then a more appropriate boundary may be drawn. The identification of specific Developer Requirements and suitable access points will also be made at this point.

Anyone wishing to suggest alternative housing sites (e.g. land east of Harland Road) should submit these to the Council at the beginning of the plan review period to be fully considered.

In respect to wider issues raised in regard to housing supply and demand please see Issue 3 Growing Communities under the Housing Land Supply section. This sets out a more detailed response on housing figures and the approach to allocating the housing land supply.

Economic concerns

In respect to the issues raised in regard to the current and future economic prospects for the area please see Issue 4 Employment. This outlines the main industries which are considered to have significant growth potential and are supported by the strategy and land allocations in the Plan.

Prioritising brownfield sites

The first Placemaking Priority for Castletown promotes opportunities to develop brownfield and infill sites. This clearly displays the Council's support in principle for redeveloping brownfield sites and aims to reduce the pressure on greenfield land. It is recognised that it is not always appropriate to limit development opportunities to brownfield sites as these often pose additional constraints and the sites available may not be suitable for the type of development. Consequently there is a need to allocate suitable alternative greenfield sites to ensure that valuable investment in the area is not discouraged.

Amenity concerns

Concerns raised about noise and general disruption are addressed as part of the planning application process. Planning conditions and informatives would be included to ensure that noise and other issues would be kept at acceptable levels during and after the construction stages.

Although the Council are sympathetic to health concerns of people who live next to potential development sites the right to a private view is not a material consideration in the planning system. Due consideration will be given at the planning application stage to any impact on residential amenity and through the HwLDP (CD18) Policy 28 Sustainable Design.

Piecemeal development

One of the main aims of including Long Term sites is to provide a longer term vision for an area and therefore avoiding piecemeal development.

Environmental issues

The area shown as Expansion of the Green Network behind the houses at Harland Road provides separation between the existing houses and any new development. The area shown is indicative only and would be further defined if and when the site is included in future development plans as an allocation or a planning application is lodged.

Flood risk

The risk of flooding on parts of the site was identified as part of the Strategic Environmental Assessment (SEA) (CD07) site assessment. If the site is taken forward as an allocation at future plan reviews it is expected that a Flood Risk Assessment would be included as a developer requirement.

Impact on the wildlife

The areas of woodland are recognised as being important to the setting of Castletown for supporting a range of wildlife. As the last Placemaking Priority states the Council will seek to enhance access and protect these from development. HwLDP (CD18) Policy 74 Green Networks will ensure that any development proposals for CT01 will be expected to help promote greenspace linkages and safeguard/enhance wildlife corridors.

Neighbour notification

The Council notified everyone within 30 metres of an allocated site in the Plan, going beyond the minimum 20 metre Neighbour Notification requirement. In addition to this the Council has undertaken a wide range of publicity at each stage of the plan making process, including press releases, public adverts and leaflet mail-drop to every property in Caithness and Sutherland.

The Council are therefore not minded to remove the site from the Plan. However, if the Reporter considered the site to be unnecessary then the Council would not averse to the site being removed from the Plan and the settlement boundary amended to exclude the site.

The Council notes the comment from Scottish Water regarding early engagement. Should the site be considered at future Plan reviews for allocation or prospective developers come forward the Council will look to promote early engagement with Scottish Water regarding specific infrastructure requirements.

CT02 – Castlehill Steading

It is acknowledged that the Proposed Path running southwards from the harbour through the arched building to Castlehill Estate may be an unreasonable requirement for a prospective developer since it is the only useable structure on property. If the Reporter is so minded the Council would be content for this section of the Proposed Path to be removed. The Proposed Path running east/west is an important pedestrian link and as it is only indicative the Council is not minded to make this modification.

Developer Requirements

The Developer Requirements for a Programme of Archaeological Works and a Tree

Protection and Management Plan have been included to ensure that the heritage features and mature woodland are protected. Previous survey work may still be applicable and submitted at application stage to satisfy the Developer Requirement. Accordingly, the Council believes the Developer Requirements relating to archaeology and tree protection/management should be retained without modification.

The Council believes that SEPA's request is based on sound evidence. Therefore, if the Reporter is so minded, the Council is content for the following developer requirement being added: "Flood Risk Assessment (no development in areas shown at risk of flooding". This will address any issues relating to surface water drainage and flood risk which are set out in the HwLDP (CD18) at Policy 64 Flood Risk and Policy 66 Surface Water Drainage and the associated Flood Risk and Drainage Impact Assessment Supplementary Guidance (CD13).

Castletown Masterplan (2007)

The Prince's Trust prepared the Castletown Masterplan in 2007 (CD26) to formalise a vision following engagement and consultation with the local community. Comments relating to inconsistencies and conflicts with the requirements set out in the HwLDP (CD18) are not accepted. Policy 26 in the HwLDP (CD18) states the masterplan will provide a framework for considering proposals in advance of the new area Local Development Plan. The masterplan is almost 10 years old and the Council is required to have a Development Plan which is up-to-date and enables the delivery of the right development in the right place. Many of the core principles identified in the masterplan have been carried forward and form the basis of CaSPlan but there have been major changes in the economy and the development sector since the masterplan was produced. As part of the preparation of the Plan the sites considered as most appropriate have been taken forward, based on a judgement on the effectiveness of the site, environmental and landscape impacts and potential regeneration and heritage value from redevelopment.

Castletown Masterplan as Supplementary Guidance

The Council does not intend to take the Castletown Masterplan (2007) (CD26) forward as Supplementary Guidance. The key principles of the masterplan have formed the basis for several of the Placemaking Priorities and the site allocations. The relatively low levels of development pressure in the area indicate that the approach taken in the Plan will provide a generous land supply for a range of uses over the course of the Plan period. It should be noted that the Castletown Masterplan will remain as a material consideration in determining relevant planning applications.

Allocation to reflect planning permission (16/00927/FUL)

The southern boundary of CT02 was intended to be drawn around the first phase of the planning permission. Having re-examined this it is apparent that the first phase extends approximately 30m further south. If the Reporter is so minded the Council would be content with the boundary being redrawn to include this area.

Having re-examined the indicative housing capacity figure for CT02 it is noted that it does not properly reflect planning permission 16/00927/FUL. Therefore if the Reporter is so minded the Council would be content to increase the capacity by 6 houses to provide greater clarity. This figure does not form part of the overall housing figures as shown on page 6 of the Plan. Therefore should the extra housing units be added then the overall

housing figures will need adjusted.

The south eastern boundary of CT02 was chosen to reflect phase 1 of planning permission 16/00927/FUL. The second phase of development was excluded due to the revised HNDA (CD10) which shows a Housing Supply Target figure of 530 houses across Caithness and the Plan already exceeds this figure. Concerns over allocating just the first phase of development are noted. It is recognised that the entire site was an allocated site within the existing Caithness Local Plan (2002) (CD17). The recent renewal of the original application also shows a level of commitment to the development of the site and indicates it may be more effective than others sites. The proposal has also been designed to a high standard and its delivery would help to regenerate an important historic site in Castletown and generate interest in further development of nearby sites. Scotia Homes Ltd have also identified an area of amenity land which is greater (approx. 1700sqm than required for the first phase (619sqm) to satisfy future development of the area. Therefore if the Reporter is so minded, then the Council would be content with the allocation being extended to include the later phase of the planning consent. This would add another 35 units to the indicative housing capacity of the site. Should this occur then a Developer Requirement should be added to ensure that the connection between Castletown and Castlehill which falls within the site is appropriately delivered.

Having re-examined the road access shown on the Castletown map the site access identified in the planning application is approximately 20 metres to the north. If the Reporter is so minded, the Council would be content with the access point being amended to better reflect the planning permission.

The Tree Protection Plan and Tree Management Plan are listed as conditions of the planning permission and as a result the Council are not minded to remove this Developer Requirement.

<u>Request to split CT02 based on landownership</u>

The allocation boundaries shown in the Plan were identified at the Main Issues Report stage and based on layouts set out in the Castletown Masterplan (CD26). Since then, however, it has been noted that the former steading and north west section of the field at Shelley Hill (i.e. relating to planning permission 16/00927/FUL) is under different ownership of Castlehill which is in the advanced stages of being purchased by another party. Therefore if the Reporter is so minded the Council would be content with separating the site in two to help provide greater clarity about the potential future development of the area. The Developer Requirements relating to tree protection, protected species walkover survey and programme of archaeological works should be carried over to both allocations.

In addition, as the Castlehill Heritage Centre is outwith the ownership of Scotia Homes Ltd and is now fully redeveloped the Council would be content should the Reporter be minded to remove the area from the allocation.

The area was identified as a Mixed Use allocation due to the mix of uses which would be acceptable on the site and the retail unit included within the planning permission. If Scotia Homes Ltd wish to amend their proposals the Mixed Use allocation provides a greater level of flexibility.

CT03 – Former Castlehill Gardens

The responsibility of ensuring an appropriate water supply connection lies with the developer and Scottish Water. However, previous discussions with Scottish Water suggest that depending on the type and scale of the development proposal a water connection may require significant additional infrastructure. To help raise awareness of this to any prospective developers the Council would be content with the following text being added to the Developer Requirements should the Reporter be so minded: "Early engagement with Scottish Water is recommended to determine potential requirement for pumped water supply."

The Council believes that SEPA's request is based on sound evidence. Therefore, if the Reporter is so minded, the Council is content for the following developer requirement being added: "Flood Risk Assessment (no development in areas shown at risk of flooding". This will address any issues relating to surface water drainage and flood risk which are set out in the HwLDP (CD18) at Policy 64 Flood Risk and Policy 66 Surface Water Drainage and the associated Flood Risk and Drainage Impact Assessment Supplementary Guidance (CD13). It will also ensure that the mitigation outlined in the Strategic Environmental Assessment (CD07) is delivered in the Plan.

CT05 – Former Free Church, Main Street

The map in the Plan shows the path aspiration identified in the Castletown Masterplan (CD26) to enhance linkages between the Main Street and the trails within the former quarry. Although the line shown is only intended to be an indicative route it is recognised that the topography to the north west of the site may be more appropriate. Therefore to provide greater clarity on what may be expected of a developer if the Reporter is so minded the Council would be content with the Proposed Path route being moved approximately 25-30 metres to the west and the following Developer Requirement being added: "If feasible, provide access through the site to allow for connections with the Core Path network within the former quarry".

CT06 - Land at Shelley Hill

Although CT06 is only identified as a Long Term the site shown on the map is not centred on the proposed wide, tree-lined street from Mackay Street to Castlehill. If the Reporter is so minded the Council would be content with rotating the allocation westwards by approximately 40 metres to correct this.

Requested Mixed Use allocation and Long Term Housing site north east of Castletown

The Council notes that the agents for the landowner and Scotia Homes Ltd request additional areas of land at Shelley Hill be included as either allocations or Long Term sites. The allocations for Castletown in the Plan show the areas which were considered to be either the most effective (e.g. CT02) or offer significant regeneration opportunities (e.g. CT03 and CT04). The Long Term Mixed Use site CT06 and the second Placemaking Priority were included to indicate the Council's likely support for development beyond the Plan period and reflect the Masterplan's vision of a better connection between Castletown and Castlehill. As shown in Appendix B of the report to the Caithness and Sutherland Committee in May 2015 outlining the interim position, we recognise there is merit in providing an opportunity for development in the short term adjoining Castletown and extending northwards to Castlehill. Due to the revised Housing Need and Demand

Assessment (CD10) which showed a reduction in the amount of land needed for housing the Plan did not take the area forward as an allocation. Instead it was shown as part of the larger CT06 Long Term Mixed Use site.

However, the Council recognise that the site would help to provide a greater number of options for development in Castletown and deliver key elements of the masterplan, such as the tree lined boulevard connection from Traill Street to Castlehill. In addition, with relation to the request for the allocation of land for a new residential care home, although there is not a proven need for such a facility in Castletown it may help to support the projected aging population. Therefore, if the Reporter is so minded the Council would be content with the inclusion of a Mixed Use allocation adjoining Castletown at Mackay Street. This could include both Housing, with a suggested indicative capacity of 30 houses, and Community uses to provide support for a residential care home. Should the Reporter be so minded then a Developer Requirement could also be added to ensure that the tree lined boulevard connection from Traill Street to Castlehill which falls within the site is appropriately delivered.

The points put forward in support of the suggestion of additional land being allocated for development adjoining Castletown at Harbour Road and the A836 are noted, including the ability to establish road access points and that the land would not experience the same water and waste water connection issues as sites around Castlehill. As a result should the Reporter be so minded then the Council would be content with areas of land extending from Castletown at Harbour Road and the A836 being identified as Long Term Mixed Use. It is suggested that if this occurs then indicative access points could be added to the east and west end of the site and approximately 25 metres of Expansion of the Green Network shown alongside the existing houses at Castletown.

Additional Long Term sites

The Council is not minded to agree with suggestions for additional areas of Long Term sites at Shelley Hill. At present the allocations exceed the housing supply target and the existing areas of Long Term sites show an indication of the Council's support for further development in the future. Should there be reason to allocate further land at future plan reviews then additional areas can then be considered.

Allocation of single plots

The request for single plot depth development along the proposed avenue connecting Castletown and Castlehill is not considered appropriate. This would result in housing development taking a ribbon form which can have a significant impact on the landscape. Due to the limited demand for housing land additional or extensions to exiting housing allocations are also not required at this time.

Triangle of land north east of CT06

The small triangle of land to the north east of CT06 is identified as Expansion of the Green Network. Should the site CT06 be developed in the future then the remaining section of the field could be set aside for greenspace or amenity use.

Scottish Water

Scottish Water's comments flagging up early engagement of current or prospective

developers are noted. Should the site be considered at future development plan reviews for allocation or prospective developers come forward the Council will promote early engagement with Scottish Water regarding specific infrastructure requirements.

Reporter's conclusions:

Castletown General

1. Mr Cowap submitted a representation to the Plan in 2 parts – one in relation to Castletown general, the other concerning CT02 (Castlehill Steading). In response to FIR 05 about CT02, Mr Cowap indicated that he no longer had an interest or an objection, and that he would appreciate his input to the examination process being removed. I have therefore treated both parts of his representation as being withdrawn.

2. In the event that Mr Cowap wished the part of his representation relating to Castletown general to stand, I am not persuaded that its terms would warrant any changes to the Plan. While there would be obvious recreational and tourism benefits in improving the cycling and walking routes between Thurso and Castletown, which are both on the unofficial North Highland Way walking route between Cape Wrath and John O'Groats, I do not believe that this is a matter that can be pursued through the Plan process. Instead, I agree with the planning authority that, in the first instance, it should be dealt with by the council's access officer. Furthermore, applications for clean beach accreditation also fall outwith the scope of the Plan, and the council has made no budgetary provision to provide further toilet facilities for the beach.

3. I do not consider that the Plan can reasonably be described as "not fit for purpose" because of its failure to show all the sites considered for development by the planning authority. The Main Issues Report shows all the options that have been considered by the planning authority, and it is produced at an earlier stage in the Local Development Plan process. The planning authority invited comments on the options in the Main Issues Report, and then proceeded to prepare the Plan. Circular 6/2013 (Development Planning) indicates that local development plans should set out the settled view of the planning authority on its development proposals for the area. In setting out in the Plan only the allocations for those sites it wishes to see developed, I consider that the planning authority has satisfied this requirement.

CT01 Land North of Harland Road

4. CT01 is situated on the eastern edge of Castletown, to the north of the housing at Harland Road, to the south of the A836 and CT04 (Castlehill Mill), to the east of the woodland at Stangergill Burn, and to the west of the woodland at Burn of Garth. It extends to around 8.4 hectares, and comprises fields, used for grazing, which slope down from south to north. The site is prominent in views from the east along the A836, and from the adjacent housing. The site is identified as a Long Term Housing opportunity in the Plan. It forms a part of a larger area which was allocated for village expansion purposes in the adopted local plan, with a total indicative capacity of 140 houses. The development potential of this allocation continued to be recognised in the 2007 Castletown Masterplan Report by The Prince's Foundation for the Built Environment. The allocation is also included in the masterplan area identified for Castletown in Policy 26 of the 2012 Highland-wide Local Development Plan (HwLDP).

5. I note that this is not a housing allocation in the Plan, and that the site is not contributing to the housing land requirement. As a long term site, the Plan explains that CT01 is showing no more than the likely preferred direction of growth for Castletown beyond the Plan period, and indicates that such sites are not being invited for development at this time. Moreover, the planning authority expects allocated sites to be developed before any long term sites are considered, and will further assess them when considering if they should be brought forward at future reviews of the Plan.

6. I accept that I recommend below the allocation of additional housing and long term sites in Castletown. However, these other sites are already identified as potential development opportunities in the 2007 Castletown Masterplan Report along with the land at CT01. Given that CT01 links the existing adjacent housing to the south and the proposed redevelopment of Castlehill Mill to the north, I believe that it is a reasonably obvious and logical direction for future expansion of Castletown. New development on a site of this size could also help support local services and facilities. Taking this together with the objective of continued economic growth being promoted in the Plan (see Issue 03) and the desirability of setting out a longer term vision indicating the likely direction of future growth in Castletown, I consider that it would be appropriate to retain CT01 in the Plan as a long term housing opportunity, and not delete it as sought in the representations. As the site is being properly brought forward through the Local Development Plan process, it would constitute planned, not piecemeal, development. I note that the planning authority has identified brownfield, infill and regeneration development opportunities, including in Castletown but, given the Plan's growth strategy, I accept that some greenfield sites will require to be developed both now and considered for future development.

7. I share some of the concerns expressed about the straight eastern edge of CT01, and the lack of any substantial boundary features. However, I consider that the existing woodland to the east and west provides an appropriate landscape framework for the wider area, and that this could be supplemented on the eastern part of the site to provide a reasonably natural and acceptable edge for the village, safeguarding its landscape setting and reducing the prominence of any development in views from the east along the A836. I therefore do not consider that the site boundaries shown on the Settlement Map in the Plan require to be changed. Given that the Plan's Environmental Report indicates that the constraints affecting the site could be adequately mitigated, I am satisfied that it would be likely that an appropriate scheme could be accommodated, and note that the 2007 Castletown Masterplan Report sets out one possible option for development. While there are matters still to be fully addressed, such as flooding, wildlife impact and the need for a masterplan or design framework/statement, I believe that these could be made Developer Requirements if the site is formally allocated for housing at a future Plan review. The Plan does not require to set out Developer Requirements for sites identified as long term opportunities.

8. I am satisfied that, if allocated, it should be possible to devise a scheme for CT01 which would not result in an unacceptably adverse effect on the residential amenity of the nearby housing. I consider that this could potentially be achieved, at least in part, through the expansion of the green network, which is shown alongside the southern boundary of CT01 and the northern boundary of the existing housing on the Settlement Map. I have sympathy for the health concerns of an adjacent resident and accept that private views from some houses at Harland Road may be affected by any development. However this factor, in itself, could not properly warrant the removal of CT01 from the Plan. I have concerns about the southernmost access point shown for the site on the Settlement Map. It appears to be a narrow residential access road, close to the existing housing. The

adopted local plan and the 2007 Castletown Masterplan Report show different possible access arrangements for the site. There may also be other options available. For these reasons, I do not consider that the site accesses should be shown on the Settlement Map. The suitability of the various access options can be assessed further, and the preferred options highlighted, should the site be allocated at a future review of the Plan.

9. Two alternative locations (east of Harland Road, and south of the B876 between the primary school, the former surgery, and the housing further east) were put forward in representations. However, few details have been provided, and no precise site boundaries have been defined. I can also find no overriding significant advantages that these locations have over CT01. Taking these factors together with the fact that I find CT01 to be a suitable long term housing opportunity, I see no good reason to prefer the alternative locations. Furthermore, I can find no great benefit to be gained for either CT01 or Castletown as a whole, from including the whole of the Burn of Garth woodland in the settlement boundary. Its previous inclusion within the settlement boundary in the adopted local plan was based on a much larger site than CT01 being identified at this location for the longer term planned expansion of the village.

10. I see little to be gained from including in the Plan, Scottish Water's general recommendation that developers should make contact at the earliest opportunity to discuss any infrastructure requirements. This is particularly so given that the site is a long term opportunity. Concerns about community engagement on proposals in the Plan are dealt with in the Examination of Conformity with the Participation Statement.

11. I have considered all the other points raised in the representations, but can find none that outweigh the considerations on which my conclusions are based.

12. Overall, an adjustment is required to the Plan.

CT02 Castlehill Steading and CT06 Land at Shelley Hill

13. CT02 is situated on the northern edge of Castletown at Castlehill, by the harbour. It extends to around 3.9 hectares, and comprises fields, woodland, a recently developed heritage centre in renovated buildings, a derelict steading, the site of the former Castlehill House and associated derelict vaulted cellars. CT06 adjoins the south eastern corner of CT02, and stretches southwards to the housing on Castlehill Place and Calder Square, which form part of an essentially grid pattern of streets in the main part of Castletown. It extends to around 8.4 hectares, and comprises fields, sloping down from south to north, beyond which are woodland to the east and Harbour Road to the west. Given the links between CT02 and CT06, I have combined my conclusions on them.

14. CT02 is allocated for mixed use (housing, business and tourism) in the Plan, and CT06 is identified as a long term mixed use opportunity site. CT02 contributes to meeting the housing land requirement in the Plan, and to providing a choice of housing sites in this historic and attractive village. CT06 is not contributing to the housing land requirement at this stage because it is a long term opportunity.

15. Insofar as CT02 and CT06 are concerned, the 2012 Highland-wide Local Development Plan (HwLDP) superseded the terms of the adopted local plan. HwLDP Policy 26 indicates that the planning authority will support the delivery of the Castletown masterplan. It identifies a Castletown masterplan area, which includes both CT02 and CT06 and the adjoining areas. It sets out 10 principles for the masterplan, including

protecting and enhancing the character of the village, and establishing a stronger connection between Castletown and Castlehill. HwLDP Policy 26 provides a general context for considering changes to CT02 and CT06. In turn, the Plan represents an opportunity to review the appropriateness of the approach set out to Castletown in Policy 26.

16. The 2007 Castletown Masterplan Report was prepared by The Prince's Foundation for the Built Environment. It considers the village's townscape characteristics, its heritage, landscape setting and natural environment. The report explains that the village was an important base for the flagstone industry, and it sets out preliminary expansion and regeneration plans and options for the harbour area, and presents a masterplan vision, with phasing of development. HwLDP Policy 26 intended that this report, following consultation and possible amendment, be adopted as Supplementary Guidance. The planning authority now indicates that this is no longer its intention. I believe this to be reasonable because the report is now 10 years old and circumstances have changed in the interim. Notwithstanding this, I note that the Plan refers to the report, broadly reflects elements of it in its Placemaking Priorities, and seeks to carry forward some of its proposals.

17. I am generally satisfied that the report sets out proposals and principles for the regeneration and expansion of Castletown which respect its character and history. It also involved community consultation, and was prepared through an Enquiry by Design process. Furthermore, it included (and prioritised) proposals for reconnecting the historic shorefront area with the main area of the village lying to the south, an objective which remains desirable and appropriate. In the circumstances, I believe that the terms of the report remain relevant to, and helpful in informing, the consideration of CT02 and CT06, albeit there is no requirement for the Plan to conform to it.

18. No representation seeks the removal of CT02 and CT06 from the Plan. Two representations seek various alterations and additions to CT02 and CT06. In its response to these representations, the planning authority proposed several changes to the Plan. It sets out the proposed changes in more detail in its response to FIR 05. Representors had an opportunity to make further representations on these details. Part of FIR 05 related to the representation submitted by Mr Cowap. In response, he indicated he no longer had an interest or objection to CT02. His representation has therefore been treated as withdrawn.

19. The changes proposed by the planning authority add to the housing allocations and long term opportunities in Castletown. They appear to go some way towards meeting the concerns expressed in the representations from Mr Campbell and Scotia Homes. They are set out on a map (part of Attachment 1), enclosed with the planning authority's response to FIR 05.

20. The changes include: extending CT02 a small distance southwards and the southern part of it eastwards into the northern end of CT06; dividing the extended CT02 into 2 new allocations (one housing, business and tourism [Castlehill Steading and adjoining land], the other business and tourism [Former Castlehill House site]); omitting the heritage centre from the new CT02 allocation (Castlehill Steading and adjoining land); slightly changing the position of the vehicular access to CT02 (Castlehill Steading and adjoining land); establishing a new mixed use housing and community allocation on the land immediately to the north of Mackay Street, and a new reduced size of long term mixed use opportunity on land at Shelley Hill, all on the remainder of CT06; identifying the land either side of the new allocation to the north of Mackay Street as mixed use long term

opportunities (land north of Castlehill Avenue and north of Churchill Road), with areas for the expansion of the green network and new vehicular access points; and moving the remainder of CT06 a small distance to the west.

21. I agree with these changes. The extensions to CT02 and the creation of the new Castlehill Steading and adjoining land allocation would mean that the Plan would properly reflect planning permission number 11/00403/FUL for 34 residential units and one commercial unit on the westernmost part of the extended site. This planning permission was renewed for a 3 year period in 2016 (planning permission number 16/00927/FUL). The approved site plan showed proposals for a future phase of development (with a draft layout) on the remaining eastern part of the new Castlehill Steading and adjoining land allocation. The proposal to move the vehicular access for the new Castlehill Steading and adjoining land allocation by 20 metres has the benefit that it would better reflect the planning permission. I agree with the planning authority that the commitment to renewing the planning permission demonstrates an interest in delivering the development proposed at this location. The division of the extended CT02 into 2 new allocations is reasonable because, as things stand, the predominant uses would likely be residential in one, and business and tourism in the other and it would take account of the different land ownerships involved. Given that the heritage centre is complete and operational, I see no good reason to continue to include it in the new Castlehill Steading and adjoining land allocation.

22. The new allocation at the southern end of CT06 (land north of Mackay Street), along with the new Castlehill Steading and adjoining land allocation, could also help make more likely the delivery of the important proposed link between Castletown and Castlehill. I am satisfied that the care home proposed on the new allocation at Mackay Street is reasonable because it is making provision for the generally ageing population. This remains the case even though no specific demand has been demonstrated for such a facility. Moving the remainder of CT06 a small distance westwards would have the advantage that the new allocation on land north of Mackay Street would be centred on the proposed link between Castlehill and Mackay Street.

23. The new long term mixed use opportunities proposed on either side of the new allocation (land north of Castlehill Avenue and north of Churchill Road) are a continuation of 2 of the areas identified for development in the 2007 Castletown Masterplan Report. I believe that they are important elements of the masterplan proposals in the 2007 report, and that their inclusion as sites for the likely preferred direction for growth is justified. I also note that they could be accessed from Harbour Road to the west and the A836 to the east, which would mean that they would not rely on the access proposed from Mackay Street. The proposed expansion of the green network at these locations in the manner proposed would be likely to contribute to the appearance of the area, and would provide a reasonable separation from the existing housing.

24. The changes, taken together, reflect the character and history of Castletown (including Castlehill), seek to build on the thrust of the masterplan proposals of the 2007 Castletown Masterplan Report, and take into account the relevant principles of HwLDP Policy 26. While the number of houses allocated here would increase from 28 to 99, I believe that local circumstances justify the changes proposed. As the changes were included as part of a larger site in the Main Issues Report (CT01), I am satisfied that they have been subject to appropriate community engagement and consultation.

25. I do not consider that the western part of the new Castlehill Steading and adjoining land allocation, as referred to in the renewed planning permission number 16/00927/FUL should be a separate allocation for residential development. Instead, I agree with the planning authority that there is merit in retaining the mixed use allocation over this area as this would provide more flexibility in considering any future proposals should the housing development not proceed. While the land immediately to the east of the later phase of housing shown in planning permission number 16/00927/FUL is proposed for development in the 2007 Castletown Masterplan Report, I see no pressing need to allocate further land for mixed use (or housing) purposes in this location at present. If the site becomes too difficult to access and cultivate, it can be used as an expansion of the green network. The changes proposed by the planning authority add to an already reasonable choice of sites and long term opportunities available in the village.

26. I do not favour allocating the entire area between Castletown and Castlehill for development. This remains the case even if a further masterplan was to be prepared. Such a large extension of the allocations now proposed is unnecessary and serves no useful purpose when there is already a sufficient choice of sites and long term opportunities. The Plan and revised proposals make reasonable and appropriate provision for long term development opportunities on either side of the proposed link between Castletown and Castlehill (on land at Shelley Hill), and they use the balance of the area as an expansion of the green network. In particular, the proposals take account of the area's character. As such, I am satisfied that they provide a suitable framework to guide future development to the most appropriate location. They also give a reasonable degree of certainty in the Plan over the pattern of development expected. I am not persuaded by the contention that more flexibility on boundaries between land uses is required in this case. Should further development opportunities be required in this area beyond those now proposed, it can be dealt with at future reviews of the Plan. Moreover, I have concerns that such a large allocation could potentially result in a disproportionately large and inappropriate extension of the village.

27. I am not persuaded that it is necessary to change the mixed use proposal on land to the north of Castlehill Avenue from a long term opportunity to an allocation. The planning authority makes provision to access the proposed allocated area to the east (land north of Mackay Street) from Mackay Street, and the representor (Mr Campbell) indicates that the council owns the land required for the access. In the circumstances, I do not believe that the proposed allocation north of Mackay Street should be regarded as landlocked at this stage. I am also not satisfied that this proposed additional allocation can be justified on the grounds of housing choice or need, or the land requirements of a possible 40 bed care home.

28. I consider that the area proposed as expansion of the green network in both the Plan and revised proposals (in CT02) should be retained. The westernmost part of the proposed green network reflects the location of the amenity greenspace shown on the site layout plan attached to planning permission number 16/00927/FUL. The remainder is a reasonably natural extension into the proposed adjacent business and tourism allocation (Former Castlehill House site). In the interests of the amenity, appearance and character of the area, it is important that new development makes provision for green space, and I am satisfied that it is appropriate to show this in the Plan. I do not believe that showing this designation makes the Plan too prescriptive.

29. I am also satisfied that the existing woodland would be protected by the Developer Requirements proposed for a tree protection and management plan and, more generally, by HwLDP Policy 51: Trees and Development, which supports development that promotes significant protection of trees and woodland around development sites. It is therefore unnecessary to provide any further protection through additional requirements in the Plan. I am also not persuaded that there is any requirement to provide more detail in the Plan about the types of use that should take place on the green spaces to be provided to the south and east of the proposed allocations at Castlehill Steading and adjoining land, and the Former Castlehill House site.

30. SEPA indicates that CT02 is adjacent to the coastal flood zone, and that a small watercourse runs through the south eastern part of the site. As such, it considers that parts of the site are at risk of flooding. The planning authority proposes the developer requirements for the 2 proposed allocations at Castlehill (Castlehill Steading and adjoining land, and Former Castlehill House site) should include requirements for a flood risk assessment. Given the risk of flooding, and to achieve consistency with the policy principles in SPP which, amongst other things, promote a precautionary approach to flood risk from all sources and flood avoidance, I agree that adding developer requirements for flood risk assessments would be appropriate, along with requirements that there should be no development in areas at risk from flooding.

31. I see little to be gained from including in the Plan, Scottish Water's recommendation that developers should make contact at the earliest opportunity to generally discuss any infrastructure requirements. This is particularly so for the retained part of CT06, which I recommend should continue as a long term opportunity site.

32. Overall, adjustments are required to the Plan, as set out below.

<u>CT03 Former Castlehill Gardens</u>

33. CT03 is situated towards the north eastern edge of Castletown, on the southern side of the eastern end of Harbour Road, by the foreshore area. It extends to around 2 ha, is based on a former walled garden, is low lying, and is set in woodland. The site is allocated for mixed use (housing and tourism) in the Plan. The allocation builds on the terms of the 2007 Castletown Masterplan Report, and is broadly supported by Highland-wide Local Development Plan (HwLDP) Policy 26, which indicates that the planning authority will support the delivery of the Castletown masterplan. It contributes to meeting the housing land requirement in the Plan, and to providing a choice of housing sites in this historic and attractive village.

34. SEPA indicates that a small watercourse runs through CT03, and that there may be a shallow water table present. As such, it considers that parts of the site are at risk of flooding. The planning authority proposes the Developer Requirements for the allocation should include a requirement for a flood risk assessment. Given the risk of flooding, and to achieve consistency with the policy principles in SPP which, amongst other things, promote a precautionary approach to flood risk from all sources and flood avoidance, I agree that adding a developer requirement for a flood risk assessment would be appropriate, along with a requirement that there should be no development in areas at risk from flooding.

35. Scottish Water recommends that the developer of CT03 should make contact to determine the potential requirement for a pumped water supply. The planning authority

acknowledges that early consultation would be desirable because significant additional infrastructure may be necessary. As such, it proposes a change to the Plan. In this case, given that a potentially significant infrastructure requirement has been identified, I agree that changing the Developer Requirement dealing with the provision of a pumped water supply, to include a reference to early engagement with Scottish Water, would be helpful and appropriate.

36. Overall, adjustments are required to the Plan, as set out below.

CT05 Former Free Church, Main Street

37. CT05 is situated on the northern side of Main Street (A836), at the eastern end of the village. It is a small, overgrown and derelict gap site, with desire lines, which extends to around 0.2 hectares. It is affected by a former quarry lying at the site's rear, north eastern boundary. The site is allocated for mixed use (housing, business and community) in the Plan. The allocation is located within the Castletown Masterplan Area identified in Highland-wide Local Development Plan (HwLDP) Policy 26. The provision of footpaths in this area is generally supported in the 2007 Castletown Masterplan Report. The allocation makes a small contribution towards the housing land requirement in the Plan, and to providing a choice of housing sites in this historic and attractive village.

38. The Plan shows a proposed footpath crossing the site from Main Street. It links into a proposed footpath system in the designated Greenspace to the north, which leads towards the coast. One representation highlights the dangers of the proposed footpath passing close to the steep wall of the former quarry. The planning authority proposes to move the route 25-30 metres to the west, and to add a Developer Requirement requiring consideration of the feasibility of providing a footpath. The revised route for the proposed path is shown on a map accompanying the planning authority's response to FIR 06. The representor in his comments on the response accepted the additional Developer Requirement, but believed that the proposed footpath route should be omitted from the Settlement Map.

39. I believe that the proposed footpath is important to the extent that it shows a link between the eastern end of Main Street and the proposed footpath system to the north and the core footpath system beyond. Its provision would be broadly consistent with the 2007 Castletown Masterplan Report. I agree that the steep wall of the former quarry is a potential hazard, and that the path should avoid this part of the site. I consider that the revised route shown in the planning authority's submission attempts to take the footpath further away from the former quarry. I am satisfied that the proposed additional Developer Requirement recognises that there could be some doubt over the provision of the footpath because of the presence of the former quarry. I note that the Settlement Plan shows the routes of proposed paths and the existing core paths, and I believe that it would be unhelpful to users of the Plan if a proposed footpath route was omitted. In the circumstances, I consider that the route of the proposed footpath should be retained on the Settlement Map but changed to reflect the route shown on the map attached to the planning authority's response to FIR 06. I agree that the proposed additional Developer Requirement, which points towards further consideration of the footpath, should be added to the Plan.

40. Overall, adjustments are required to the Plan, as set out below.

Reporter's recommendations:

I recommend that the following modifications be made:

CT01 Land North of Harland Road

1. Under the Castletown section of the Caithness Settlements, page 24, delete from the Settlement Map the 2 site accesses shown for CT01.

CT02 Castlehill Steading and CT06 Land at Shelley Hill

2. Under the Castletown section of the Caithness Settlements, pages 25-26, divide CT02 and the northern part of CT06 into 2 allocations, each reading:

"Site ref: Castlehill Steading and adjoining land
Use: Mixed Use (Housing, Business, Tourism)
Area (ha): 3
Indicative Housing Capacity: 69
Developer Requirements: Development in accordance with planning permission 16/00927/FUL including carrying out a Programme of Archaeological Work; Tree Protection and Management Plan; Protected species walkover survey; Waste Management Plan; Flood Risk Assessment (no development in areas shown to be at risk of flooding); Deliver or fund section of tree lined boulevard connection between Traill Street and Castlehill which lies within the boundary of the allocation.

Site Ref: Former Castlehill House site
Use: Mixed Use (Business, Tourism)
Area (ha): 2.3
Developer Requirements: Flood Risk Assessment (no development in areas shown to be at risk of flooding); Programme of Archaeological Work; Tree Protection and Management Plan; Protected species walkover survey; Waste Management Plan."

3. Under the Castletown section of the Caithness Settlements (Settlement Map), page 24, divide CT02 and the northern part of CT06 into 2 allocations – Castlehill Steading and adjoining land, and Former Castlehill House site – as shown on the map which sets out the planning authority's proposed changes to CT02 and CT06 (part of Attachment 1), enclosed with the planning authority's response to FIR 05.

4. Under the Castletown section of the Caithness Settlements (Settlement Map), page 24, move the site access into the new CT02 (Castlehill Steading and adjoining land) allocation, to the position shown on the map which sets out the planning authority's proposed changes to CT02 and CT06 (part of Attachment 1), enclosed with the planning authority's response to FIR 05.

5. Under the Castletown section of the Caithness Settlements (Settlement Map), page 24, adjust the boundaries of the new CT02 (Castlehill Steading and adjoining land) allocation by removing the Heritage Centre from the western edge as shown on the map which sets out the planning authority's proposed changes to CT02 and CT06 (part of Attachment 1), enclosed with the planning authority's response to FIR 05.

6. Under the Castletown section of the Caithness Settlements (Settlement Map), page 24, adjust the boundaries of the new CT02 (Castlehill Steading and adjoining land)

allocation by extending the southern and eastern edges to match the boundaries for planning permission16/00927/FUL (and planning permission 11/00403/FUL), all as shown on the map setting out the planning authority's proposed changes to CT02 and CT06 (part of Attachment 1), enclosed with the planning authority's response to FIR 05.

7. Under the Castletown section of the Caithness Settlements, page 25-26, divide the remainder of CT06 into 2 sites – an allocation (North of Mackay Street) and a long term opportunity (Land at Shelley Hill) – each reading:

"Site ref: North of Mackay Street
Use: Mixed Use (Housing, Community)
Area (ha): 1.4
Indicative Housing Capacity: 30
Developer Requirements: Deliver or fund section of tree lined boulevard connection between Traill Street and Castlehill which lies within the boundary of the allocation.

Site ref: Land at Shelley Hill
Use: Long term mixed use
Area (ha): 3.3
Developer Requirements: This identified as a 'Long Term Site.' These sites indicate the likely preferred direction for growth beyond the Plan period. They are not being invited for development within this Plan period and therefore Developer Requirements have not been identified in this Plan. More information about Long Term Sites is provided in the Glossary."

8. Under the Castletown section of the Caithness Settlements (Settlement Map), page 24, divide the remainder of CT06 into 2 sites – an allocation (North of Mackay Street) and a long term opportunity (Land at Shelley Hill) – as shown on the map which sets out the planning authority's proposed changes to CT02 and CT06 (part of Attachment 1), enclosed with the planning authority's response to FIR 05.

9. Under the Castletown section of the Caithness Settlements (Settlement Map), page 24, move the remainder of CT06 (an allocation [North of Mackay Street], and a long term opportunity [Land at Shelley Hill]) to the west so that they are centred on the proposed link between Castlehill and Mackay Street, as shown on the map setting out the planning authority's proposed changes to CT02 and CT06 (part of Attachment 1), enclosed with the planning authority's response to FIR 05.

10. Under the Castletown section of the Caithness Settlements (Settlement Map), page 24, identify the southern section of the new CT06 allocation (North of Mackay Street) as Expansion of Green Network, as shown on the map setting out the planning authority's proposed changes to CT02 and CT06 (part of Attachment 1), enclosed with the planning authority's response to FIR 05.

11. Under the Castletown section of the Caithness Settlements, pages 25-26, identify 2 new long term opportunities – North of Castlehill Avenue, and North of Churchill Road – either side of the new CT06 allocation (North of Mackay Street) each reading:

"Site ref: North of Castlehill Avenue
Use: Long Term Mixed Use
Area (ha): 1.2
Developer Requirements: This is identified as a 'Long Term Site.' These sites indicate the

likely preferred direction for growth beyond the Plan period. They are not being invited for development within this Plan period and therefore Developer Requirements have not been identified in this Plan. More information about Long Term Sites is provided in the Glossary.

Site ref: North of Churchill Road
Use: Long Term Mixed Use
Area (ha): 1.2
Developer Requirements: This is identified as a 'Long Term Site.' These sites indicate the likely preferred direction for growth beyond the Plan period. They are not being invited for development within this Plan period and therefore developer requirements have not been identified in this Plan. More information about Long Term Sites is provided in the Glossary."

12. Under the Castletown section of the Caithness Settlements (Settlement Map), page 24, identify 2 new long term opportunities – North of Castlehill Avenue, and North of Churchill Road – either side of the new CT06 allocation (North of Mackay Street), as shown on the map which sets out the planning authority's proposed changes to CT02 and CT06 (part of Attachment 1), enclosed with the planning authority's response to FIR 05.

13. Under the Castletown section of the Caithness Settlements (Settlement Map), page 24, identify the southern sections of the new 2 new long term opportunities – North of Castlehill Avenue, and North of Churchill Road – either side of the new CT06 allocation (North of Mackay Street) as Expansions of Green Network, all as shown on the map which sets out the planning authority's proposed changes to CT02 and CT06 (part of Attachment 1), enclosed with the planning authority's response to FIR 05.

14. Under the Castletown section of the Caithness Settlements (Settlement Map), page 24, identify 2 new site accesses for the 2 new long term opportunities – at Harbour Road for North of Castlehill Avenue, and the A836 for North of Churchill Road – as shown on the map which sets out the planning authority's proposed changes to CT02 and CT06 (part of Attachment 1), enclosed with the planning authority's response to FIR 05.

<u>CT03: Former Castlehill Gardens</u>

15. Under the Castletown section of the Caithness Settlements, page 25, add the following new clause to the Developer Requirements for CT03 to read:

"…Flood Risk Assessment (no development in areas shown to be at risk of flooding)."

16. Under the Castletown section of the Caithness Settlements, page 26, adjust the 5th clause of the Developer Requirements for CT03 to read:

"…Early engagement with Scottish Water is recommended to determine potential requirement for pumped water supply;…"

<u>CT05 Former Free Church, Main Street</u>

17. Under the Castletown section of the Caithness Settlements (Settlement Map), page 24, delete the route of the Proposed Path at CT05 and replace it with the route of the path shown on the map enclosed with planning authority's response to FIR 06.

18. Under the Castletown section of the Caithness Settlements, page 26, add the following new clause to the Developer Requirement for CT05 to read:

"…If feasible, provide access through the site to allow for connections with the Core Path network within the former quarry."

Issue 8	**Halkirk**	
Development plan reference:	Halkirk page 27	**Reporter:** Tim Brian

Body or person(s) submitting a representation raising the issue (including reference number):

Caithness Chamber of Commerce (983321)
Helen Campbell (970271)
Hugh & Joan Lockhart (980776)
Kenneth Nicol (977530)
North Highland Initiative (983130)
Paul Lockhart (980218)
Peter Knight (976437)
Richard Brannan (967640)
Scottish Water (953627)
SEPA (906306)
Ulbster Arms Hotel (979625)

Provision of the development plan to which the issue relates:	Halkirk settlement text, placemaking priorities and site allocations.

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

Halkirk General

Peter Knight (976437) - Suggests a footpath from the railway bridge along the east bank of the river to reach the Old Mill and Milton Farm access road beside Ulbster Arms Hotel.

North Highland Initiative (983130) - The respondent objected to the Plan and requests that reference should be made to Halkirk Sports Foundation working to deliver a new Healthy Living Centre akin to a small sports centre and changing rooms but available for wider than sports activities be added to the Plan. Circa £1/5m. This also will Grow Communities and create employment.

Caithness Chamber of Commerce (983321) - Have no specific comments on any of the proposals or priorities.

HK01 – Comlifoot Terrace

Helen Campbell (970271) - Objects to HK01 due to the area being prone to flooding and the impact it has on the neighbouring properties. The respondent highlights that the SEA site assessment states that the HK01 is not located within an identified flood risk area and there is no history of flooding and therefore the post mitigation score is '0'. However, the respondent disagrees and confirms that there is definitely a history and continuing issue of pluvial flooding within and around HK01. The respondent has submitted supporting information which clearly shows there is a problem with flooding in the area and that it is having a significant impact on their property. The causes appear to be associated with the drainage network, the topography and the soil conditions. Additional houses will only put

further strain on the sewer network, displace more water into the respondents property and lead to further flooding issues if no mitigation works are carried out.

SEPA (906306) - The River Thurso runs along the southern boundary of the site. SEPA hold records dating from 2006 which demonstrate flooding to the north of the site boundary. SEPA are have also been informed of more recent flooding and drainage issues in the area. Parts of the site are therefore at risk of flooding. As a result SEPA object unless the following developer requirement text is added to the plan: “Flood Risk Assessment (no development in areas shown to be at risk of flooding).” This amendment will help protect people and property from flood risk and ensure (1) compliance with the flood risk avoidance position in paragraphs 255 and 263 of Scottish Planning Policy, (2) that developers are aware that flood risk may be a constraint on development of part of the site which will assist in delivery in line with Scottish Planning Policy paragraph 30, which states that “Development plans should:…set out a spatial strategy which is both sustainable and deliverable, providing confidence to stakeholders that the outcomes can be achievable” and (3) ensure that developer requirements for all sites thought to be at risk of flooding are dealt with consistently throughout the plan. This advice is also in line with the Flood Risk Management (Scotland) Act 2009 which places responsibility on the Scottish Government, SEPA, Scottish Water and local authorities to exercise their flood risk related functions with a view to reducing overall flood risk.

HK02 – West of Bridge Street

Richard Brannan (967640) - Objects to HK02 as it forms the eastern boundary of the Moss of Halkirk. A housing development within this area is not in accordance with the Council guidelines. There are sufficient infill areas within Halkirk which could easily support the proposed indicative capacity of 35 houses. There are well recognised drainage issues in the area which need addressing. No reason to drain this ancient landscape which cannot be replaced.

Peter Knight (976437) - Supports the inclusion of HK02 as it reflects the views and intention of a number of residents and landowners of properties to the west of Bridge Street. Supportive of it not being dependent on an extension of the grid-iron pattern. Surprised that HK02 does not extend further south to the railway line as there have been approvals for single houses.

Scottish Water (953627) - With reference to the 'contaminated land' designation it should be noted that a similar documented report will be required prior to any water connection being approved and this may require any associated supply pipe being of an approved barrier material or ductile iron depending upon the level of any documented contaminant.

SEPA (906306) - Both the information SEPA hold and the assessment outlined in the Environmental Report indicates that this site is on peat soils. As a result SEPA object unless the following developer requirement text is added to the plan: “Peat assessment and management plan”. This amendment will ensure compliance with paragraph 205 of Scottish Planning Policy which states “Where peat and other carbon rich soils are present, applicants should assess the likely effects of development on carbon dioxide (CO2) emissions. Where peatland is drained or otherwise disturbed, there is liable to be a release of CO2 to the atmosphere. Developments should aim to minimise this release.” It will also ensure consistency with other allocations on peat in the plan.

Paul Lockhart (980218) - Supportive of HK02. As a Halkirk resident the respondent believes that the village has a shortage of houses, and it would be of great benefit to the community to have more land available for house building.

Hugh & Joan Lockhart (980776) - Fully supports HK02 in Halkirk as there is ample access to the site and already some development and it seems logical to further develop. At the CASPLAN meeting in the Ross Institute Halkirk, (25-11-14) Councillor Coghill stated there is a desperately serious housing shortage in Caithness; therefore development in Halkirk should help to solve the housing shortage.

HK03 – North East of Old Parish Church

Peter Knight (976437) - The proposed footpath through HK03 will pass through garden grounds. The respondent, who owns one of the properties is quite supportive of this but assumes his neighbours are unaware of the proposals. Although his garden is outwith the flood plain he suspects the properties to the west may not be. There is an opportunity to extend the proposed path network at HK03 over to Braal Castle and reinstate the old footbridge over the river. The respondent also highlights that it is possible to walk along the river from Halkirk to Thurso and a formal path network should be promoted through the Plan.

Kenneth Nicol (977530) - Supportive of the proposal to protect areas around the river from development and thus safeguarding the attractiveness of the area for recreational activities. The allocation should include Public Park option.

HK04 – South West of Ulbster Arms Hotel

Scottish Water (953627) - As this site requires a contaminated land survey, Scottish Water will require a similar report to establish the materials required for the protection of any water connection.

Ulbster Arms Hotel (979625) - The owners and operators of the hotel support the allocation in the Plan as it aligns with the natural settlement boundary line and the field boundary to the west. The allocation also allows for the hotel business to further develop its tourism related businesses, encourage more people to the village and create long term and skilled employment within the hospitality and salmon fishing sectors.

Modifications sought by those submitting representations:

Halkirk General

Peter Knight (976437) - Add a Proposed Path from the railway bridge along the east bank of the river to reach the Old Mill and Milton Farm access road beside Ulbster Arms Hotel.

HK01 – Comlifoot Terrace

Helen Campbell (970271) - Removal of HK01 as a Housing allocation.

SEPA (906306) - Add the following developer requirement “Flood Risk Assessment (no development in areas shown to be at risk of flooding).”

HK02 – West of Bridge Street

Richard Brannan (967640) - Removal of HK02 as a Housing allocation.

SEPA (906306) - Add the following developer requirement "Peat assessment and management plan".

HK03 – North East of Old Parish Church

Peter Knight (976437) - Extend the Proposed Path to include the potential reinstatement of the footbridge over the river to Braal Castle.

Kenneth Nicol (977530) - Add public park to the list of allocated uses.

Summary of responses (including reasons) by planning authority:

Halkirk General

Suggested footpath to the west of Halkirk

A footpath running alongside the east bank of the river would be a valuable addition to the overall path network in Halkirk. The path leading westwards along the railway line is identified as a core path, however, the area leading northwards alongside the river does not to have any formalised path. Several of the fields alongside the river are used for keeping livestock by the farmer and the involvement/agreement of the farmer would be appropriate to ensure that greater access to the land would not conflict with the farming operations. As there has been no engagement with the landowner or any other representations made requesting this change the Council are not minded to add in the additional path at this time. The request to include this path as a core path has been forwarded to the Access Officer in the Council to be considered in the continuing review of the Core Path

Suggested Halkirk Sports Centre

Although there has been no past engagement from the Halkirk Sports Foundation it appears that there is a formalised campaign to construct a leisure centre in Halkirk. The Council does not believe it is necessary to add reference to the proposal within the Plan. However, the Reporter may note that reference to the proposal has been included in the Aspirational List in the Action Programme.

HK01 – Comlifoot Terrace

The respondent's comments relating to flooding at Donellen have been noted. SEPA and the Council's Flood Team provided the Council with advice in 2014 during the early stages of the preparation of CaSPlan. It was noted at that time there was a history of flooding on the north east corner of the site and they advised that a flood risk assessment may be required at planning application stage. It is apparent, however, that this was not reflected in the Council's response to Question 3a of the Strategic Environmental Assessment (SEA) (CD07) site assessment. The flooding and drainage issues in Halkirk are well known and despite the answer recorded to question 3a being incorrect the advice provided was taken into consideration when assessing the sites at that time.

HK01 already has a planning consent for housing development which was granted in 2012 and as some form of development has commenced on site it is now 'locked-on'. The permission will not expire and could be implemented at any time. Although the Council is now limited in its ability to influence the details of the permission a drainage infrastructure plan (which includes a sustainable urban drainage system (SuDS) retention basin) was approved by SEPA as part of the planning application. These are typically designed to channel and manage surface water to reduce the risk of flooding elsewhere on the site.

Following the respondent's submission which clearly shows significant localised flooding issues in the area and given that the Council presented incorrect information in the SEA (CD07) site assessment for HK01 further discussions on the flooding/drainage issues at Comlifoot were held with SEPA, the Council's Flood Team and Scottish Water. This mainly focused on determining whether there would be any implications for the Plan and whether the advice which they provided remains appropriate, i.e. that the site is suitable to be allocated in the Plan for development subject to the findings of a flood risk assessment which would need to be submitted alongside a planning application.

Following this and a reassessment of the site the Council still consider that the site is suitable for housing development subject to a flood risk assessment at planning application stage being carried out to identify areas at risk of flooding and to inform suitable drainage infrastructure mitigation. Development can often be used to help address issues such as this and deliver positive changes for an area which may not be achievable if it was to remain undeveloped.

Therefore, if the Reporter agrees the Council will be content with the following Developer Requirement being added: "Flood Risk Assessment (no development in areas shown at risk of flooding)."

<u>HK02 – West of Bridge Street</u>

The responses in support of the allocation are noted.

The suitability of the land further southwards from the boundary of HK02 was assessed. Although the area benefits from being largely back land crofting plots which are no longer used and there are several potential access points it was not considered necessary to extend the allocation further at this point in time. The site can be reassessed at future plan reviews.

Concerns about flood risk have been addressed as part of the SEA (CD07) and appropriate mitigation has been included within the Developer Requirements. The allocation extends only as far as the stone dyke which has been associated with the properties on Bridge Street for over a hundred years. The wetlands at Moss of Halkirk will be outwith the Settlement Development Area and protected from development under Highland-wide Local Development Plan (CD18) policies.

Directing development towards infill sites is an important Placemaking Priority within Halkirk. However, it is not suitable to rely upon all the infill sites being made freely available. Therefore other areas need to be allocated to ensure effective sites are available to prospective developers.

The area west of Bridge Street has also been allocated to help ensure that development is delivered in a coordinated and consistent way. There has been considerable pressure for

single house development west of Bridge Street since the existing local plan was adopted in 2002. With several proposals being granted planning permission it has been argued in the past that this has now set a precedent. The allocation HK02 recognises this pressure and attempts to manage this in a more coordinated approach in the future.

The Council believes that SEPA's request is based on sound evidence. Therefore, if the Reporter is so minded, the Council is content for the following developer requirement being added: "Peat assessment and management plan." This will protect any peat or other carbon rich soils which may be present and ensure consistency with the SEA (CD07).

The comments by Scottish Water are noted. In terms of a similar study to accompany a contamination survey prior to connection to the water supply, this is the responsibility of the developer and Scottish Water.

HK03 North East of Old Parish Church

The support for the allocation is noted.

The site has been allocated for Community uses to safeguard it for the future expansion of the cemetery. The remaining land is considered suitable for publically accessible greenspace including new path connections along the river and an Expansion of the Green Network.

The support for the Proposed Path running through HK03 and alongside the river is noted. The extension of the Proposed Path to Braal requires a new footbridge. This will require a significant level of investment and as there are no formal plans to deliver this the Council are not minded to include it as a Proposed Path in the Halkirk Map.

HK04 South West of Ulbster Arms Hotel

Support for the Business allocation is noted.

In terms of the contamination survey prior to connection to the water supply, this is the responsibility of the developer and Scottish Water.

HK05 Site at Camilla Street

Discussions with the Council's Community Works Team have indicated that, from local knowledge, the site allocation HK05 may be at risk of flooding/drainage issues. Therefore if the Reporter is so minded, the Council would be agreeable to a Developer Requirement being added, asking for a flood risk assessment.

Reporter's conclusions:

Halkirk general

1. The suggested footpath route on the east side of the River Thurso to the west of Halkirk is an obvious link in the network around the village. It would connect the core path along the railway line to the south of Halkirk to the bridge at the north end of the village, and thence with the core path on the opposite side of the river.

2. However, at this stage there is no indication whether the farmer/owner of the land which would be traversed by the path would be well disposed to the idea, or the effect on the livestock operations on the land. I therefore agree with the council that the appropriate means of taking the proposal forward is through the review of the Core Path Plan, when all interests will be consulted, rather than this Local Development Plan.

3. The proposal by Halkirk Community Sports Foundation to develop a healthy living centre is a significant one, as it has the potential to provide an indoor sports centre in an area with an unfavourable climate and no comparable facility. The Foundation's website advises that it is a company with charitable status, and that around 40% of the capital cost of over £1.5 million has already been secured. The council granted planning permission for the project in October 2007 (06/00278/FULCA), and there is no suggestion that the council has changed its stance on the proposal since then.

4. I note that various of the aspirational projects that are listed in the Action Programme are also referenced in the Plan, and I can therefore see no reason why the proposed healthy living centre at Halkirk should not be referred to in the Placemaking Priorities for the village. I propose to amend the Plan accordingly.

<u>HK01 Comlifoot Drive</u>

5. This site of 3.2 hectares lies at the north west edge of the village, and north of the River Thurso. The proposed allocation for housing, with an indicative capacity of 28 units, is subject to a number of developer requirements, including the need to demonstrate that there would be no adverse effect on the integrity of the River Thurso Special Area of Conservation (SAC).

6. Whilst the site is well above the level of the river at this point, the representation (including extensive photographs) from the adjoining resident at Donellen, Comlifoot demonstrates that there is a history of significant flooding and drainage issues in the area which have seriously impacted on neighbouring properties. The flooding appears to stem from the inability of ditches, surface water drains and sewers in the vicinity to cope with severe rainfall events, and from the poor drainage properties of the land whereby water tends to accumulate rather than disperse effectively. Scottish Environment Protection Agency (SEPA) is aware of the problem, and the planning authority acknowledges its error in the assessment of the site as part of the Strategic Environmental Assessment of the Plan.

7. The site is committed for housing, and the proposed development would contribute to meeting the housing land requirement for the area (see Issue 03). There is an extant planning permission (reference number 07/00133/FULCA) for a housing development on the site comprising new access roads and site services, 20 houses, 12 house plots and a play area, which was granted in 2012. However, the planning permission was granted subject to conditions relating to ground and surface water drainage.

8. Conditions 12 and 14 require (amongst other things) that:
   - no ground or surface water shall flow onto the public road or third party properties from the site;
   - all drainage arrangements shall accord with the Best Management Practice Guidelines of SuDs (sustainable drainage systems);
   - the detention basins shall be designed by means of a communal system capable of adoption by Scottish Water; and

- the surface water drainage arrangements shall be maintained thereafter by Scottish Water.

9. It is necessary to modify the Developer Requirements in the Plan to ensure that a flood risk assessment is carried out in connection with any future planning application for housing development on the site, and that no development takes place in areas shown to be at risk of flooding. However, since the site already has planning permission for housing, it would be inappropriate to delete the allocation from the Plan.

10. I agree with the planning authority that the development of the site offers the opportunity to resolve the existing flooding issues associated with the site, by means of a flood risk assessment and the implementation of appropriate measures to mitigate any risks that are identified.

HK02 West of Bridge Street

11. This is an extensive backland site of 3.5 hectares, containing redundant crofts and associated outbuildings, to the rear of properties fronting Bridge Street, with an indicative capacity of 35 houses. It is well related to the grid iron village form, and is close to the village centre and local services. There are three possible means of access from Bridge Street.

12. I note the representations in support of the proposed housing allocation. There is clearly a housing need in the area, and the proposed development would contribute to meeting the housing land requirement for the area (see Issue 03). I consider that site HK02 is the obvious direction in which Halkirk may grow without threatening its traditional character as a Caithness planned village. However, I agree with the planning authority that a southward expansion of the site to the railway line is not justified at this time. The Plan is already allocating sites in Halkirk with a joint capacity of 63 houses (assuming a very low density of development), which I regard as ample provision in this Plan period relative to the size of the village.

13. The proposed allocation would not affect the ancient landscape at the Moss of Halkirk, which lies beyond the site boundary and is protected by the relevant policies of the Highland-wide Local Development Plan (HwLDP). There is no intention to drain the Moss in connection with this proposal.

14. However, Scottish Environment Protection Agency (SEPA) advises that the site HK02 itself contains peat soils, and it would be consistent with the terms of Scottish Planning Policy (SPP) if the Developer Requirements included the need to produce a peat assessment and management plan, in order to minimise the release of carbon dioxide to the atmosphere.

15. The requirement for a report to be provided (in addition to the contaminated land report) prior to any water connection being approved is a matter between Scottish Water and the developer, and is not a consideration for the Local Development Plan.

HK03 NE of Old Parish Church

16. This open field of 2.3 hectares lies at the north east edge of the village, between the Old Parish Church and the river. The allocation for community use is to allow for an extension to the existing cemetery. The Developer Requirements include the need for

access and open space provision to the riverside, and the village Settlement Map shows a proposed path through the site to the river and a riverside path to link to Crescent Street to the west. However, I consider that there would be insufficient amenity land to merit the designation of a public park in this vicinity.

17. There is support in principle for the proposed path and the associated expansion of the green network, although it appears that the path would require the agreement of the householders whose properties run to the river bank.

18. I can also see the attraction of restoring the footpath connection to the north side of the river, and to create a formal path along the river from Braal to Thurso. However, there is no indication that the funds are available to construct a bridge across the river at this point, and I consider that these aspirations would be better pursued through the review of the Core Paths Plan.

HK04 South West of Ulbster Arms Hotel

19. I note the support for this proposal to identify an area of 1.1 hectares for business/ tourism use.

20. As discussed under HK02 above, the requirement for a report to be provided (in addition to the contaminated land report) prior to any water connection being approved is a matter between Scottish Water and the developer, and is not a consideration for the Local Development Plan.

HK05 Site at Camilla Street

21. The flooding/drainage concern now raised by the planning authority is not a matter arising from a representation to the Plan, and hence falls outwith the scope of this examination.

Reporter's recommendations:

I recommend that the following modifications be made:

Halkirk General

1. Under the Halkirk section of the Caithness Settlements, page 27, add a further Placemaking Priority to read:

"Support the proposal by Halkirk Community Sports Foundation to provide a healthy living centre in the village".

HK01 Comlifoot Drive

2. Under the Halkirk section of the Caithness Settlements, page 29, add a further Developer Requirement to HK01 to read:

"Flood Risk Assessment (no development in areas shown at risk of flooding)."

HK02 West of Bridge Street

3. Under the Halkirk section of the Caithness Settlements, page 29, add a further Developer Requirement to HK02 to read:

“Peat assessment and management plan.”

Issue 9	**Lybster**	
Development plan reference:	Lybster pages 31 - 33	**Reporter:** Tim Brian

Body or person(s) submitting a representation raising the issue (including reference number):

Caithness Chamber of Commerce (983321)
Crofting Commission (955042)
Iaroslav Bodiu (967307)
Joanne Bowd (979221)
SEPA (906306)
SportScotland (933432)

Provision of the development plan to which the issue relates:	Lybster settlement text, placemaking priorities and site allocations.

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

General Text

Joanne Bowd (979221) - Support for settlement due to its cultural heritage assets that offer potential for tourism, but notes potential threats to assets from nearby onshore wind energy proposals.

Caithness Chamber of Commerce (983321) - Agreement with support for settlement centre and recognition of tourism potential.

LY01 Young Crescent

Iaroslav Bodiu (967307) - Support for allocation but proposes an additional access to site via Village Road immediately south of The Old Police Station.

Crofting Commission (955042) - Zoned land forms part of in-bye croft land, but its relative isolation in the context of other parts of the croft and the settlement pattern may be a consideration.

LY02 The Cross

SEPA (906306) - Object unless additional developer requirement is added for a flood risk assessment to protect people and property from floodrisk. There are small drains along eastern and southern boundaries of the site and records of flooding due to blocked culverts and surface water flooding. This addition will ensure compliance with SPP, raise awareness of potential floodrisk issues to developers and ensure developer requirements are consistent throughout plan.

LY03 South of Golf Club House

SportScotland (933432) - Since site is directly adjacent to Lybster Golf Course, add

developer requirement to consider the playability of the golf course in the development of the site, specifically consider if any mitigation is required to prevent adverse impacts caused by development and to prevent impacts on development from golf balls being played out of the course.

SEPA (906306) - Object unless additional developer requirement is added for a flood risk assessment to protect people and property from floodrisk. There are small drains along eastern and southern boundaries of the site and records of flooding due to blocked culverts and surface water flooding. This addition will ensure compliance with SPP, raise awareness of potential floodrisk issues to developers and to ensure developer requirements are consistent throughout plan.

Modifications sought by those submitting representations:

LY01 Young Crescent

Iaroslav Bodiu (967307) - Include additional access from Village Road to Young Crescent.

LY02 The Cross

SEPA (906306) - Developer requirements should include a Flood Risk Assessment.

LY03 South of Golf Club House

SportScotland, (933432), SEPA, (906306) - Developer requirements should include consideration of mitigation to prevent impacts on new development from neighbouring golf course (e.g. from golf balls) and a Flood Risk Assessment.

Summary of responses (including reasons) by planning authority:

General Text

Support for the settlement's tourism potential, and potential for impacts from onshore wind energy developments is noted.

LY01 Young Crescent

Whilst it is considered that an additional access to Young Crescent could improve permeability, it is not considered necessary for the amount of potential housing on site. Young Crescent access is of an acceptable standard and is suitable for extending north. Future planning applications could still propose forming an additional access and this could be considered on its merit.

Comments from the Crofting Commission that part of the site is in-bye croftland, but that the site is consistent with the settlement's development pattern are noted.

No modification is proposed by the Council.

LY02 The Cross

If the Reporter is so minded, the Council is agreeable to including the following text to the Developer Requirements: "Flood Risk Assessment (no development in areas shown to be

at risk of flooding)".

LY03 South of Golf Club House

If the Reporter is so minded, the Council is agreeable to including the following text in the Developer Requirements: "Consider potential for impacts on new development from neighbouring golf course and any necessary mitigation; Flood Risk Assessment (no development in areas shown to be at risk of flooding)".

Reporter's conclusions:

General Text

1. There is support for the Plan's priority to encourage the development of the tourism and service industries in Lybster to take advantage of the settlement's location and heritage assets.

2. The comment about an onshore windfarm proposal in Rumster forest lies outwith the scope of this section of the Plan.

LY01 Young Crescent

3. I note the support for the proposed allocation of housing site LY01. I consider that the proposed access via Young Crescent should be sufficient for the modest scale of development proposed – the site has an indicative capacity of 16 houses. Young Crescent is a well surfaced estate road of adequate width with footways, which currently serves a small development of around 10 bungalows. Therefore, the suggested additional access direct to the site from Village Road is not a necessary prerequisite to the proposed allocation of the site.

4. I agree with the Crofting Commission that the development of the site would be consistent with the established pattern of the settlement, and note the isolation of the land from the remainder of the croft of which it currently forms a part.

LY02 The Cross

5. In the light of the clear guidance from the Scottish Environment Protection Agency (SEPA) regarding the risk of flooding associated with a small drain on the north boundary of the site, it is appropriate to add the requirement for a flood risk assessment to be carried out, to the listed Developer Requirements for this mixed use site.

LY03 South of Golf Club House

6. I consider that Sportscotland raises a legitimate concern about the juxtaposition of this proposed mixed use (business and community) site with the existing golf course. It is necessary to ensure that the neighbouring activities do not encroach on each other.

7. There is also a history of flooding on site LY03 arising from blocked culverts and surface water, which requires to be addressed.

8. I am satisfied that the amended wording now proposed by the planning authority would answer both points.

Reporter's recommendations:

I recommend that the following modifications be made:

LY02 The Cross

1. Under the Lybster section of the Caithness Settlements, page 33, add the following text to the Developer Requirements for LY02:

"Flood Risk Assessment (no development in areas shown to be at risk of flooding)".

LY03 South of Golf Club House

2. Under the Lybster section of the Caithness Settlements, page 33, add the following text in the Developer Requirements for LY03:

"Consider potential for impacts on new development from neighbouring golf course and any necessary mitigation; Flood Risk Assessment (no development in areas shown to be at risk of flooding)."

Issue 10	**Thurso** see Issue 11 for Thurso TS04 and Issue 12 for TS12/TS14	
Development plan reference:	Thurso pages 34 - 41	**Reporter:** Dilwyn Thomas

Body or person(s) submitting a representation raising the issue (including reference number):

Proposed Plan

Alan Simmonite (979043)
Alastair Chisholm Christie (980596)
Amelia Walker (931321)
Anne Dunlop (978180)
Anthony Ridgley (979975)
Caithness Chamber of Commerce (983321)
Co-operative Group (980279)
David Doohan (980228)
Dorothy Anderson (980209)
Eric Livingstone (979698)
Ewan Henderson (984004)
Federation of Small Businesses H & I Region (980130)
Gary Stronach (980340)
George Mitchell (983251)
Helen Livingstone (968685)
Ian Mackay (978586)
Ian Walker (979716)
Jacqueline Ridgley (930800)
Jamie Henderson (980168)
Jane Telfer (979224)
Janetta Christie (975843)
Jason Ridgley (980223)
Jennifer McLachlan (979430)
John Gunn and Sons Ltd (984009)
Karen McLean (979677)
Kathleen Macdonald (980253)
Kenneth Nicol (977530)
Leslie Rowe (981069)
Liz Hale (967473)
London and Scottish Investments Ltd (979770)
Michael Arkley (960859)
Michael Bowden (980202)
Neil McDonald (978550)
Peter Knight (976437)
Robert McLachlan (979429)
RSPB Scotland (956544)
Scottish Water (953627)
Scrabster Harbour Trust (980302)
SEPA (906306)
Sheena Mclachlan (960835)
St Clair Hotel (980003)
Station Hotel (980280)
Swanson (973397)
Thurso Bay Trading Co (980395)
Timothy Ridgley (979979)
Walter Mclachlan (979427)
Willie Steven (980239)

Modified Proposed Plan

Aaron McNicol (MPP1032856)
Ann Smith (MPP1032828)
Iain Black (MPP1032452)
Kenneth Nicol (MPP977530)

Provision of the development plan to which the issue relates:	Thurso settlement text, placemaking priorities and site allocations excluding Thurso West distributor/relief road, TS04, TS12 and TS14

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

Thurso General

SNH (909933), Sheena Mclachlan (960835) - Paragraph 111 (paragraph 113 of the Proposed Plan): Clarification required: Refers to the Wick charrette and "Wick's future".

Should this read “Thurso” rather than “Wick”?

Scrabster Harbour Trust (980302) - Objects to the lack of detail given in terms of the current port and future prospects of Scrabster Harbour. This is not consistent with the sections elsewhere on Wick Harbour and Gill Harbour where the draft plan state that growth these ports/harbours will be encouraged. There should be a similar statement for Scrabster Harbour.

Thurso Bay Trading Co (980395) - Supports the aims of paragraphs 108 to 111 and highlights that this will be achieved by focusing expansion on the western side of the town.

Aaron McNicol (MPP1032856) - Supporting comment received in relation to the strategy for Thurso

Peter Knight (976437) - Respondent has walked along the riverside from Thurso to Halkirk (Braal Castle) and would suggest that this route is promoted/pursued within the overall framework of the plan - show the link between Halkirk and Thurso to riverside and/or Geise Farm.

Anne Dunlop (978180) - More consistency should be show in the town centre. In relation to the recent application at the former mart site, the Plan should not discourage large retailers from locating there. There are too many food outlets on Princes Street as most have tacky displays and gaudy signage in a conservation area and attract antisocial behaviour.

Ian Walker (979716) - Objects to the fourth Place Making Priority as it is irrelevant. A footpath can be established as it is at present and the community woodland is not viable due to being too difficult to maintain because of the weather.

RSPB Scotland (956544) - In planning for development of Thurso and Scrabster Harbours, appropriate consideration must be given to the importance of the local marine area to foraging seabirds throughout the year in order to avoid adverse impacts on a wide range of species. Modification sought: RSPB Scotland seeks a modification in the form of the following addition to the list of ‘Placemaking Priorities’ for Thurso: “Development must not have an adverse impact on the North Caithness Cliffs Special Protection Area nor on populations of foraging seabirds.”

Thurso Bay Trading Co (980395) - Requests the Highland Council, if not plead with them, to understand how difficult in these financial times it is to develop and deliver anything of significance. If developer requirements are too onerous, particularly during early phases, things will be very tough and the town would run the risk of development stagnation. Respondent hopes that his idea of taking almost half his land holding and putting it in public benefit will go a long way to satisfying most early planning gain and developer requirements. The benefit to the town of a large community woodland and 20 acre public park, if delivered, cannot be underestimated, now or in the future.

Scrabster Harbour Trust (980302) - Strongly support the comments made in sections 112 and 114, and the first bullet point of the Placemaking Priorities.

Leslie Rowe (981069) - Objects to the Plan not identifying a site new community hall. The existing town hall was converted into Caithness Horizons several years ago and a new hall is very much needed. Possible sites include the tennis courts on Olrig Street or Sinclair

Street drill hall.

George Mitchell (983251) - Not enough consideration has been given to the routing of buses and HGVs through the town. This will become increasingly important as the harbour expands.

Caithness Chamber of Commerce (983321) - Welcomes the recognition of the potential for growth of employment in the area due to the energy industry and encourage any support that can be given in this area. Pleased to see that regeneration of the town centre and the Thurso Harbour area are key priorities, and hope that all support necessary is given to encourage the tourism potential of Thurso.

Kenneth Nicol (977530), Jacqueline Ridgley (930800) - Respondent questions the assumption made in paragraph 108 that the marine renewables sector presents significant growth opportunities. All the companies developing wave energy generation in the Pentland Firth has gone into administration and only one company remains active in the tidal industry which is progressing slower than first thought.

Para 114 states that there is opportunity for a relief road to be created. However this is misleading as the Council is not in a financial position to deliver it.

Iain Black (MPP1032452) - Comments made in association with objections to the exclusion of TS12 and TS14, comments that: improving the harbour and water sport facilities is long overdue and would be appreciated by residents and tourists; relocating industry from the water front to an industrial park would be a wise investment with environmental benefits; and improving the green areas of Thurso is essential and more people should be encouraged to take advantage of the outdoor walks and enjoy the scenery of the area.

<u>Direction of Strategic Expansion</u>

Kenneth Nicol (977530), Jacqueline Ridgley (930800) - Para 112 promotes the western expansion of the town but the enterprise area is unlikely to ever be developed given the lack of progress with marine renewables sector. Together with the unlikely delivery of the relief road the direction o f growth is not logical and would lead to traffic congestion. The town should grow to the east instead given that the WWTW is in east Thurso.

David Doohan (980228) - Objects to the strategy for Thurso being focused on the west. Believes further consideration should be given to the east.

Swanson (973397) - Objects to para 112 identifying the focus of future town expansion to Pennyland and High Ormlie. The focus should be land which the respondent holds (TS01 and TS10) as it meets the expected demand and is less controversial than developing Pennyland.

Kenneth Nicol (MPP977530) - Respondent objects to paragraph 112 which refers to opportunities to deliver improved transport infrastructure in Thurso West (paragraph 112) as he states that the relief road is unlikely to be developed in the medium term due to Highland Council budget reductions. This was an additional comment to those which he made during the Proposed Plan consultation in objection to paragraph 112 (paragraph 114 in the Proposed Plan) and the principal direction for growth of Thurso to the west.

Allocation of Land for a Hotel

David Doohan (980228) - Para 108 states “Land uses which compete with town centre businesses and risk impacting on the vibrancy and vitality will be restricted by the new Town Centre First Policy.” However allocating land for hotels outwith the town centre will undermine this as the existing town centre hotels are only running at 50% capacity at present. The Development Plan should be used to protect town centres not just because a landowner promotes development elsewhere.

Station Hotel (980280) - Para 111. Whilst the aim of improving the tourism experience is an excellent one, adding another hotel to Thurso would be very detrimental to the delicate balance of business we currently have. Thurso is already better supplied with hotels than any other town in Caithness. The effect of this is a lower price per room than Wick, Halkirk and Castletown and the closing at the end of the season of some hotels because there is not sufficient business to sustain them through the autumn and winter months. There are several hotels within the area that are up for sale and some that have closed their doors completely. This is a strong indicator of how hard it is for the hotel trade within Caithness. To upgrade the hotel stock we have is perhaps a more sensible option. All the time we have a short season of May to September and banks are actively avoiding the hospitality trade this is a huge challenge for hoteliers. Hotels need to generate sufficient capital in the summer season to enable them to cover costs over the winter months and allow maintenance and upgrade to their businesses.

With the introduction of National Living Wage and pensions many hotels are taking additional costs that cannot be passed directly onto the customer in terms of a price increase.

The greatest help to improve the quality of hotels in Caithness is to find ways of extending the main season and giving visitors a reason to visit the area outside the months of May to September. The country music festival, surfing competitions, water kayaking etc are all attractions that have drawn people to the area. This allows the businesses - not just hotels, to generate sufficient capital to re-invest in their businesses and the town. The benefits are also seen in longer term employment and income to the area.

The building of a new hotel in Thurso, whether it is a high quality hotel or a budget hotel such as Travelodge the impact is going to be the same. There will be hotels in Thurso that will not survive the impact. The existing built heritage of the town should be respected and supported not destroyed.

Jane Telfer (979224) - While the plan indicates a commitment to improve the town centre there is only one proposed development within the bounds of the designated town area. This would appear to be a missed opportunity. The majority of the plan seems more intent on new development for surrounding environment and scenery and no thought appears to have been given to the redevelopment of the town centre itself. This results in the plan being unlikely to meet any of its aspirations regarding improving the vibrancy and vitality of the town. Without direct action in the town centre it is unclear how the Council will achieve the goals set out in this Plan.

Given the disparate ownership and intent of the proposed development sites it is unclear under what auspices this plan can achieve a co-ordinated result in the terms of the aims of Highland Council and in attaining any benefit for the residents.

Federation of Small Businesses H & I Region (980130) - Objects to the inclusion of para 111. The respondent recognises that a level of competition is good but there is no demand for additional bed spaces in Thurso. Were another hotel to be built it would seriously damage the existing hotels which operate in the town centre. Hotel occupancy is already low and many hotels close during the winter months. Rather than helping to "open the area up for the enjoyment of both residents and visitors", and "provide more tourist facilities which will ultimately help to retain visitors in the area for longer", he believes that a new hotel will force at least one existing hotel to close for good, damage employment prospects in the town, and do nothing to retain visitors for longer.

Proposals to allocate land for hotel developments outwith the town centre do not accord with the Council's policy or SPP's guidance on Town Centres First.

Please note also that Visit Scotland can find no record of the Strategy referred to in paragraph 109.

St Clair Hotel (980003) - Whilst Visit Scotland identify the need for more quality hotels in Caithness, there are at present a significant number of hotels for sale, two of which are at the quality end of the market, the balance are at the 2 star, 3 star section of the market, the majority of these hotels have been for sale for some considerable period of time, in the present financial market none of these are selling, this would indicate that there is no great desire from operators to enter the Caithness market at present. Thurso has sufficient hotel beds to cover the market, the tourist season is short, at a peak for only six to eight weeks maximum, the overall season being from the beginning of May to the end of September, during which the number of days where beds can not be found in the town are not significant.

At present the market is seeing an uplift from commercial requirements related to reinforcement of the electricity distribution grid, this is not expected to last for more than a couple of years, and the demand has been met by the rental market as well as the hotels, the hotels are able to provide an increase in capacity in comparison to the availability 10 years ago as the "British Coach Tour" market has reduced considerably.

In the past few years two of Thurso's hotels have operated on a seasonal basis, this has allowed the remaining hotels to run with a reasonable level of demand, thus ensure that rates do not get too depressed and out of season operating costs can either be covered or losses minimised, although demand this year has meant that one of the hotels has stayed open for the winter, this has had an overall effect on the market, and occupancy levels have seen some reduction.

The rates obtainable in Thurso are lower to the comparable hotels in Wick, typically some 20%, and significantly lower than those available in Inverness, 25 to 30%. If the hotels in the town are unable to generate reasonable levels of operating profits they will not be able to allocate funds to improve the quality of accommodation, if an additional hotel is added to the town with a large number of beds, 55 plus chalets, the result will either be a race to the bottom in terms of rates with the associated lack of investment and upgrade, or the closure of one or more of the hotels in the town, either of these would result in damage to the built heritage of the town, and the loss of jobs. It is the Council's responsibility to ensure that there is not a significant over supply of accommodation in the town, to allow this would not achieve some of the key "Placemaking Priorities" of the Local Development Plan. Outside Inverness, Thurso is one of the Highland regions best provisioned towns in terms of hotel accommodation. At present Thurso has sufficient Hotel accommodation to meet the

requirements for the period ending 2020, if there is an unforeseen increase in the demand for hotel accommodation the Plan should be reviewed and adjusted as required, any additional space should be accommodated within the existing hotels or sites within the existing town footprint.

Leslie Rowe (981069) - Objects to paragraph 109 stating that more quality hotels are needed as many have been on the market for a long period of time. Questions the judgement of the Visit Scotland tourism strategy referred to.

TS01 East of Juniper Drive

Amelia Walker (931321), Kenneth Nicol (977530), Michael Bowden (980202), Ian Walker (979716) - Supports the Housing allocation.

Thurso Bay Trading Co (980395) - Objects to Housing allocation as there is no benefit to the town in the short to medium term in comparison to TS14 and TS04 which would deliver greater long term strategy of connectivity and mixed use development.

TS02 Site at Mount Pleasant

Kenneth Nicol (977530), Thurso Bay Trading Co (980395) - Support for small housing development in this area

Ian Walker (979716), Amelia Walker (931321) - Objects to the extent shown as non-preferred within the MIR not being taken forward to the Plan as a Housing allocation. Development here would have less of a landscape impact than at Pennyland.

David Doohan (980228) - Questions why Councillor Willie Mackay's comments on the MIR in support of a larger housing development at Mount Pleasant have not been taken into account. The reason given was that it would have wider landscape impacts but that could be argued about the allocations at Pennyland.

TS03 West of Upper Burnside

Scottish Water (953627) - Whilst these have been designated as Longer Term sites, Scottish Water would recommend that any current or prospective developers interested in delivering these sites, to make contact with Scottish Water as early as possible to understand any specific infrastructure of investment requirements required by either party.

Kenneth Nicol (977530) - This small area should be considered in the short to medium term and could provide around 40 houses. This would be preferable compared to large allocation of land at TS04 for housing.

Ian Walker (979716), Amelia Walker (931321) - Supports Housing (objects to Long Term Status – assumed) on TS03 as the respondent understands a developer is negotiating to build on the site soon in the near future.

David Doohan (980228), Thurso Bay Trading Co (980395) - Supports the area for Long Term Housing

John Gunn and Sons Ltd (984009) - The MIR shows the site was preferred for housing development with the proposed bypass road to the West. The Plan now shows both a

bypass line going through the site linking the A836 to the A9 as well as the proposed bypass line to the west. Respondent attaches a site layout drawing which shows that they had been progressing development plans for the site based on the MIR. Respondent states that they are in the advanced stages of preparing the site for housing development and ready to conclude the purchase of the ground shown. Unfortunately with the Plan showing the new road through the site, it does not make their development viable and will have to deliberate as to whether they terminate the plans. Respondent requests that the Council reconsider and remove this link road to allow development to proceed.

TS04 Thurso West – See Issue 11

TS05 Former Mart Site

London and Scottish Investments Ltd (979770) - The landowner/developer currently has a planning application lodged with the Highland which they state meets the expectation of CaSPlan.

Support that the site is allocated for hotel uses as this reflects current market interest, it would be a more suitable location than any alternative greenfield site and it is located close to Thurso train station.

Respondent is broadly supportive of the outcomes and proposals identified at the Thurso charrette but flags up that a large retail development has already been approved on the site and the design and layout principles have already been established.

Any masterplan approach for Thurso itself or large sites therein should reflect viable, deliverable uses for such sites that deliver sustainable economic growth in the area in the short to mid-term.

Jamie Henderson (980168), Ian Walker (979716), David Doohan (980228), Amelia Walker (931321), Karen McLean (979677), Kenneth Nicol (977530), Jacqueline Ridgley (930800), Janetta Christie (975843) - Supports the inclusion of TS05 for one or more of the following reasons:

- There is a demand for such uses
- It would expand what the town has to offer
- Allocating land on this brownfield site would mean that the Plan does not have to allocate land for a hotel on greenfield land, i.e. TS14
- The area would be perfect for relocation of the businesses that will need moved eventually from TS07
- The developer requirements ensure that new development will complement the surrounding area and provide a ‘welcome’ entrance into the town by rail.

Thurso Bay Trading Co (980395) - Car parking for the train station and school need to be included.

Co-operative Group (980279) - Objects to the retail allocation on TS05. The Developer Requirements state that development should be in accordance with the planning permission for a large format food store 08/00494/REMCA. This has now lapsed and the planning application which is now pending for a mixed use development is not compatible with the Plan.

The Proposed LDP should not be establishing requirements for a site based on a planning permission which no longer exists and instead it should offer greater clarity on the scale of retail floorspace which is supported on the former Mart site as part of a mixed use development.

As the former Mart site lies outwith the defined Thurso town centre boundary, issues relating to retail capacity, impact and the sequential approach to site selection are all relevant to any support for new retail floorspace at this location. However, we are not aware of the Proposed LDP being supported by any evidence base which considers the requirement for new retail floorspace in the plan area. As a minimum requirement Scottish Planning Policy (Para 64) establishes that local authorities, working with community planning partners, businesses and community groups, should prepare a town centre health check to inform emerging development plans and decisions on planning applications. We are not aware of Highland Council having fulfilled this important requirement of SPP. SPP also requires that development plans adopt a sequential town centre first approach when planning for uses which generate significant footfall, including retail and commercial leisure uses, offices, community and cultural facilities and, where appropriate, other public buildings such as libraries, and education and healthcare facilities. Again, there is no evidence base to suggest that this process has been followed in allocating the Former Mart site for town centre uses. It is certainly not acceptable for the Council to be relying on lapsed proposals dating from 2007 as any retail deficiency that was identified then may not exist now and the scale and nature of the impacts are likely to be quite different.

Alastair Chisholm Christie (980596) - Objects to allocation for a large supermarket but supports land for housing and small businesses. Supports a new safer route to school, additional parking space for the rail station and a new telephone box.

TS06 Former Mill Site at Millbank

Co-operative Group (980279) - Objects to TS06. The Proposed LDP is silent on the scale and nature of retail floorspace which would be acceptable on the Millbank site. As this site lies outwith Thurso town, issues relating to retail capacity, impact and the sequential approach to site selection are all relevant to any support for new retail floorspace at this location. We are not aware of the Proposed LDP being supported by any evidence base which considers the requirement for new retail floorspace in the plan area or Highland Council fulfilling the requirements of SPP (paragraph 64) in respect of development planning and retail development. Consider that the support for retail development on this site should be removed on the basis that there is no evidence base to support an unquantified scale of retail floorspace on this out of centre site.

Ian Walker (979716), Amelia Walker (931321) - Supportive of Housing use.

David Doohan (980228) - Respondent considers that the site may be suitable for a hotel as it has views out to sea.

Kenneth Nicol (977530) - This area not suitable for retail or business given the location and other buildings in the area.

Ian Walker (979716), Thurso Bay Trading Co (980395), Janetta Christie (975843) - Supports Mixed Use allocation. Development which complements the surroundings would be an asset to the town.

Janetta Christie (975843) - Some protection may be needed from the nearby river and old mill lade.

Alastair Chisholm Christie (980596) - Objects to the inclusion of the site in the Plan as it is an area identified at risk of flooding, development could have an adverse impact on the mill lade and eel trap and greenbelt areas are gradually disappearing.

TS07 Land at Sir Archibald Road

Kenneth Nicol (977530) - Preference for housing development along the riverside.

Alan Simmonite (979043) - The road down past the football park could be incorporated with the current path at the end of Sir Archibald Road to form a coastal walk. This would provide access to the Thurso East surfing area and beyond. Discontinuing use of the area for industrial use would enhance the appearance of the river side area. It would be more appropriate to have industrial use outside the town at locations such as the Janetstown site.

David Doohan (980228), Amelia Walker (931321) - Objects to Mixed Use allocation and considers the site suitable for a hotel facility as it is a brownfield site.

Thurso Bay Trading Co (980395), Janetta Christie (975843) - Supportive of Mixed Use allocation as shops, café, housing etc would be a real attraction and boost to the town. The existing residents at the site need to be carefully considered as part of the development process.

Ann Smith (MPP1032828) - Supporting comment received in relation to site TS07 Land at Sir Archibald Road.

TS08 Land at Bridgend

Janetta Christie (975843) - Supportive of the allocation but is highlights the potential risk of flooding. A protective wall around Bridgend House could possibly be extended to cover the site.

Amelia Walker (931321) - Supports proposed uses.

Alan Simmonite (979043) - Supports relocation of industrial uses from the site to other most suitable locations. Highlights the need to protect and enhance the coastal path to Thurso East for walkers and surfers.

Kenneth Nicol (977530) - Objects to Mixed Use allocation. The focus here should be on housing. The Charrette identified the river as an important feature of Thurso. Business / retail development in this area will detract from the presence of the river. The area beside the river has already seen industrial development which gives a negative impact of the area.

Ian Walker (979716) - Objects to mix of uses not including potential for a hotel development as this would protect the greenfield land at Pennyland.

Thurso Bay Trading Co (980395) - Concerned about feasibility of development on the site given its location to the river and restricted access. Respondent suggests a car park would

be more suitable and would allow for greater connectivity along the coast and river areas.

Alastair Chisholm Christie (980596) - Objects to the inclusion of the site in the Plan as it is an area identified at risk of flooding, development could have an adverse impact on the mill lade and eel trap and greenbelt areas are gradually disappearing.

TS09 North of Scrabster Community Hall

David Doohan (980228), Kenneth Nicol (977530), Ian Walker (979716), Amelia Walker (931321) - Supports the site for Housing.

SEPA (906306) - The Coghill Burn runs through the site. Parts of the site are therefore at risk of flooding. As a result we object unless the following developer requirement text is added to the plan: “Flood Risk Assessment (no development in areas shown to be at risk of flooding).” This amendment will help protect people and property from flood risk and ensure (1) compliance with the flood risk avoidance position in paragraphs 255 and 263 of Scottish Planning Policy, (2) that developers are aware that flood risk may be a constraint on development of part of the site which will assist in delivery in line with Scottish Planning Policy paragraph 30, which states that “Development plans should:…set out a spatial strategy which is both sustainable and deliverable, providing confidence to stakeholders that the outcomes can be achievable” and (3) ensure that developer requirements for all sites thought to be at risk of flooding are dealt with consistently throughout the plan. This advice is also in line with the Flood Risk Management (Scotland) Act 2009 which places responsibility on the Scottish Government, SEPA, Scottish Water and local authorities to exercise their flood risk related functions with a view to reducing overall flood risk.

TS10 North west of Dunbar Hospital

Swanson (973397) - As landowners of the site they object to it being long term rather than an allocation because:

- It is an existing land allocation
- It is next to a business/retail park
- There are good views which would lend itself to housing development
- It has potential for it to be developed in the relative short tern and there is interest from developers
- The proposed bypass would split the farm and the land would become unmanageable
- Being a relatively small site it makes it more effective than the other larger sites which are unlikely to get developed.

Kenneth Nicol (977530) - Objects to long term status. It should be a Housing allocation with an indicative capacity of 15.

Ian Walker (979716), David Doohan (980228), Amelia Walker (931321) - Objects to the long term status of the site and questions the reasons for the site being reduced in size from the Caithness Local Plan as the respondent understands there is a developer wanting to build it out in the near future and it would benefit from panoramic views over Caithness.

Thurso Bay Trading Co (980395) - Objects to inclusion of TS10 as Long Term Mixed Use as it will be of no benefit to the town in the short to medium term.

Janetta Christie (975843) - It is essential to have bus-stops included in the plans for the site.

TS11 Viewfirth Park

Michael Arkley (960859), Helen Livingstone (968685), Walter Mclachlan (979427), Jacqueline Ridgley (930800), Anthony Ridgley (979975), Ian Walker (979716), Timothy Ridgley (979979), Jason Ridgley (980223), Liz Hale (967473), David Doohan (980228), Eric Livingstone (979698), Sheena Mclachlan (960835), Kathleen Macdonald (980253), Gary Stronach (980340), Ewan Henderson (984004), Robert McLachlan (979429), Jennifer McLachlan (979430) - Objects to proposed sporting facilities at TS11 for one or more of the following reasons:

Amenity issues

- It's a residential neighbourhood, surrounded by housing. It will have a significant impact on the amenity of the neighbouring houses including a loss of privacy and overshadowing. Residents closest to the sports building will effectively be looking out at a wall and in particular during the winter months their properties will be in shadow the majority of the day.
- There will be a significant visual impact as the re-levelling of the field would require a fall of approx. 3m across the width, a large chain link fence is proposed, light pollution from flood lights, the building would not be in character with the surrounding area
- Noise pollution extending into the evening/night due to likely long opening hours.
- The central location of Viewfirth makes it unsuitable for such a facility.

Inadequacy of facilities

- The proposed facility is inadequate for its stated purpose. The site restricts it to only 4 lanes. There is no space for spectators. There is no storage spaces identified for all the activities and staff which are proposed. There would be no room for any further expansion of the facility in the future.
- It is one of the last multi-purpose spaces in Thurso which can be used for a variety of uses such as festivals, football, cricket, scouts.
- The town will lose access to an important green space as the new facility will be fully regulated with restricted access.
- The proposal does not meet the requirements of SportsScotland as set out in their response to the MIR as the site is a local Community recreational space, not exclusively used for sports, therefore the development is a change of use not ancillary to the principal use of the site. The development involves the entire area not a minor part and would affect its use as the adopted Shinty pitch. The proposed development of the Viewfirth Green would mean the playing field/sports pitch for the Caithness Shinty Club who have made use of the playing field for the past few years would not be safeguarded, which would be detrimental to that sport in Thurso.
- The Highland Council's commissioned a report 'Site Appraisal for the provision of a six lane running track' dated December 2013. (cited in the Hub Information hand out) The report stated "With the combination of the perimeter fencing and the visual intrusion of flood lighting, it is anticipated that utilising the park (Viewfirth) for athletics will not be feasible." In its summary it further stated "Not recommended due to restricted size and close proximity of housing'" "The park boundaries on the south east and southwest are lined with mature deciduous trees. The root protection zone of these trees will require accurate plotting if this option is taken forward to minimise any risk of the roots disturbing the track construction or vice versa." The summary

identified the old golf range as being more suited.

Site options

- Support shown for investing in a sports facility but not in this location and one which does not meet the original expectations.
- Alternative sites have not been fully investigated. The original aim was to identify a site for a 6-lane running track. The Plan should secure a site which can accommodate this not a second rate facility. Any major sports development in the town should be backed up by a rigorous site options appraisal exercise before plumping for one site or the other.
- The 2002 Local Plan refers to Sports Scotland having carried out a feasibility study and identified two site options for a Regional Sports Centre the first the existing Dounreay facilities (note not the Viewfirth Highland Council land) and Millbank. Questions the reasons for Millbank now being discounted. There are other sites within the town which should be considered for a Regional Sports Centre or Sports Hub and the updated Local Plan should refer to this aspiration rather than ignore it as it now appears to do. CaSPlan should set out the different site options and establish which site offers the greatest community benefit. A significant sports facility may be best sited at the High School or UHI where it would be of greatest use. Scottish Government policy now encourages education facilities to serve as a community campus for just this reason
- As it is a regulated and largely indoor facility it should utilise a brownfield site rather than openspace.
- "Caithness Community Leisure and Sports Facilities – Facility Review and Enhancement Proposal" also proposed that a new sports hall should be constructed adjacent to the linked sports hall at Thurso High School.

Access

- There is insufficient parking provision identified and parking in the neighbouring streets is already at a premium.
- Transport issues. Restricted access to the site and the transport impacts could result in health and safety issues. The Thurso Active Travel identifies that there are a high number of pedestrian accidents around Ormlie Road, the High School and the town centre. With 16 clubs and 1700 members interested in using the facility it would result in significant increases in traffic.

Other issues

- The shinty team has stated that they do not have an alternative playing field and that if Viewfirth was developed they could fold if another site is not found.
- The north part of the site should be allocated for affordable housing.
- Thurso needs to consider what it wants from its education provision for the next 25 - 50 years which again is what the Local Plan should be about. I would contend the town cannot support 3 ageing primary schools with falling school roles and for example the mart site would be deal for a new primary school campus which links in with the high school, UHI and a community sports facility.

Sheena Mclachlan (960835), Walter Mclachlan (979427), Robert McLachlan (979429), Jennifer McLachlan (979430) - Any built development should be restricted to the site of the previous Viewfirth Sports and Social Club and should be no higher than the previous building.

Ian Mackay (978586) - It is very much under utilised but it would be good to see it

landscaped as a public park with pathways, trees, park bench etc.

Kenneth Nicol (977530) - Supports the allocation but would like to see it include a public park. Concerned about the lack of car parking and the impact on the transport network.

Thurso Bay Trading Co (980395) - Supportive of a new sports facility but concerned about the proposed location at TS11. Questions whether another sports facility is being planned at Halkirk. Millbank seems a much more sensible option for a sports hub as it would complement/utilise the swimming pool, rugby club and gym already there.

TS12 East of Burnside see Issue 12

TS13 Thurso Harbour

Kenneth Nicol (977530), Ian Walker (979716), David Doohan (980228), Willie Steven (980239), Amelia Walker (931321), Thurso Bay Trading Co (980395), Janetta Christie (975843) - Supports Community allocation for water sports facilities as this will help to promote surfing and watersports.

SEPA (906306) - Part of the site is within the Coastal Flood Map and we have a developer-prepared flood risk assessment which suggests that nearly all of the site may be at risk of flooding. We note that this allocation is for development of a harbour for community and recreational facilities. In line with the risk framework of Scottish Planning Policy, exceptions to flood risk avoidance may arise if the location is essential for operational reasons, such as navigation and water based recreation uses. We are content that this exception could be applied in this case. Implementation of the current developer requirement “Flood Risk Assessments may be required (no development in areas shown to be at risk of flooding)” is likely to result in development of the site not being possible. As a result we recommend the above developer requirement is deleted and replaced with “Flood Risk Assessment required to inform layout and design. Only low vulnerability uses or operationally essential uses in areas shown to be at risk of flooding, to be accompanied by resilience measures.” Such an approach is in line with the mitigation proposed in the Environmental Report. This amendment will ensure that development of the site can be delivered and the development type complies with the flood risk framework outlined in paragraph 263 of Scottish Planning Policy.

TS14 Land West of Caravan Park see Issue 12

TS15 Scrabster Harbour

SNH (909933) - The text should refer to the North Caithness Cliffs SPA, rather than a generic “Natura site”, and be amended in line with other text referring to such sites within the LDP, eg to read “Development proposals will require to demonstrate that there would be no adverse effect on the integrity of the North Caithness Cliffs SPA.” SNH also recommend that the potential for impacts of major, disturbing development activity at TS15 to take account of noise and vibration (eg from piling) impacts on migrating salmon from the River Thurso SAC. SNH therefore recommend the addition of text such as “Development proposals will require to demonstrate that there would be no adverse effect on the integrity of the River Thurso SAC, for example (but not limited to) through noise and vibration caused by major construction activities such as piling.”

SEPA (906306) - Part of the site is within the Coastal Flood Map and therefore is likely to

be at risk of flooding. We note that this allocation is for development of a harbour for industrial use. In line with the risk framework of Scottish Planning Policy, exceptions to flood risk avoidance may arise if the location is essential for operational reasons such as navigation, transport and utilities infrastructure. We are content that this exception could be applied in this case. Implementation of the current developer requirement "Flood Risk Assessments may be required (no development in areas shown to be at risk of flooding)" is likely to result in development of the site not being possible. As a result we recommend the above developer requirement is deleted and replaced with "Flood Risk Assessment required to inform layout and design. Only low vulnerability uses or operationally essential uses in areas shown to be at risk of flooding, to be accompanied by resilience measures." Such an approach is in line with the mitigation proposed in the Environmental Report. This amendment will ensure that development of the site can be delivered and the development type complies with the flood risk framework outlined in paragraph 263 of Scottish Planning Policy.

Ian Walker (979716) - Supportive of Industrial allocation. However, this area is not shown on the most recent map of the Thurso/Scrabster area

Amelia Walker (931321), Thurso Bay Trading Co (980395) - Supports Industrial allocation.

TS16 Land at Scrabster Mains Farm

Ian Walker (979716) - Supports Industrial allocation. However, this area is not shown on the most recent map of the Thurso/Scrabster area

Amelia Walker (931321), Thurso Bay Trading Co (980395) - Supports Industrial allocation.

TS17 North West Of Thurso Business Park

Ian Walker (979716), David Doohan (980228), Thurso Bay Trading Co (980395) - Supports inclusion of Long Term Industrial site as it is the direction that the town should expand and it would facilitate the by pass delivery.

Michael Bowden (980202), Dorothy Anderson (980209) - Objects to inclusion of TS17.

Amelia Walker (931321) - Objects to Long Term Industrial status. This area should be prioritised for development for leisure and business sites.

Modifications sought by those submitting representations:

Thurso General

SNH (909933), Sheena Mclachlan (960835) - Change reference from Wick Charrette to Thurso Charrette

Scrabster Harbour Trust (980302) - Requests more detail on the current and future prospects of Scrabster Harbour.

Peter Knight (976437) - Requests the walk from Thurso to Halkirk along the riverside is promoted within the Plan.

Anne Dunlop (978180) - More consistency in planning decisions in relation to Thurso town

centre.

David Doohan (980228), Kenneth Nicol (977530), Jacqueline Ridgley (930800) - Change the direction of growth, as shown in paragraph 110, from the west to the east of Thurso

Station Hotel (980280), Kenneth Nicol (977530), Jacqueline Ridgley (930800), St Clair Hotel (980003), Leslie Rowe (981069) - Remove of the reference, in paragraph 109, to the need to build more quality hotels in Caithness and the allocation of land for a quality hotel at Pennyland.

Swanson (973397) - Change the direction of growth, as shown in paragraph 110, from the west to the Thurso to TS01 and TS10.

Ian Walker (979716) - Removal of fourth Placemaking Priority relating to the expansion of the green network in Thurso West.

RSPB Scotland (956544) - Add the following addition to the list of 'Placemaking Priorities' for Thurso: "Development must not have an adverse impact on the North Caithness Cliffs Special Protection Area nor on populations of foraging seabirds."

Leslie Rowe (981069) - Requests that the Plan should identify land for a new community hall.

TS01 East of Juniper Drive

Thurso Bay Trading Co (980395) - Removal of the allocation TS01 from the Plan

TS02 Site at Mount Pleasant

Ian Walker (979716), Amelia Walker (931321) - The area should be enlarged to include the area shown as non-preferred within the MIR.

TS03 West of Upper Burnside

Kenneth Nicol (977530), Ian Walker (979716), Amelia Walker (931321), John Gunn and Sons Ltd (984009) - Change TS03 from a Long Term Housing site to a Housing allocation.

TS05 Former Mart Site

Thurso Bay Trading Co (980395) - Car parking for the train station and car parking for the High School should be included as a Developer Requirement (Assumed).

Co-operative Group (980279) - Removal of Retail as part of the Mixed Use allocation.

Alastair Chisholm Christie (980596) - The Mixed Use allocation should only include Business and Housing uses.

TS06 Former Mill Site at Millbank

Co-operative Group (980279) - Removal of Retail as part of the Mixed Use allocation.

Kenneth Nicol (977530) - Change from a Mixed Use allocation to a Housing only

allocation.

David Doohan (980228) - Add Hotel to the Mixed Use allocation.

Alastair Chisholm Christie (980596) - Removal the allocation TS06 from the Plan.

TS07 Land at Sir Archibald Road

David Doohan (980228), Amelia Walker (931321) - Add Hotel to the Mixed Use allocation.

Alan Simmonite (979043) - Inclusion of Proposed Path to Thurso East and additional Developer Requirement for improved path network (assumed).

TS08 Land at Bridgend

Alan Simmonite (979043) - Inclusion of Proposed Path to Thurso East and additional Developer Requirement for improved path network (assumed).

Kenneth Nicol (977530) - Change from Mixed Use to Housing only allocation.

Ian Walker (979716) - Add Hotel to the Mixed Use allocation.

Alastair Chisholm Christie (980596) - Remove the allocation TS08

TS09 North of Scrabster Community Hall

SEPA (906306) - Add the following Developer Requirement “Flood Risk Assessment (no development in areas shown to be at risk of flooding).”

TS10 North west of Dunbar Hospital

Swanson (973397), Kenneth Nicol (977530) - Change from Long Term Mixed Use site to a Mixed Use allocation.

Ian Walker (979716), David Doohan (980228), Amelia Walker (931321) - Change from Long Term Mixed Use site to a Mixed Use allocation. Extend the site to the area shown in the Caithness Local Plan.

Thurso Bay Trading Co (980395) - Remove the Long Term site TS10 from the Plan.

Janetta Christie (975843) - Add a requirement for new bus stops to be created as a Developer Requirement.

TS11 Viewfirth Park

Michael Arkley (960859), Helen Livingstone (968685), Walter Mclachlan (979426), Jacqueline Ridgley (930800), Anthony Ridgley (979975), Ian Walker (979716), Timothy Ridgley (979979), Jason Ridgley (980223), Liz Hale (967473), David Doohan (980228), Eric Livingstone (979698), Sheena Mclachlan (960835), Kathleen Macdonald (980253), Gary Stronach (980340), Ewan Henderson (984004), Robert McLachlan (979429), Jennifer McLachlan (979430) - Remove the Community allocation TS07

Sheena Mclachlan (960835), Walter Mclachlan (979427), Robert McLachlan (979429), Jennifer McLachlan (979430) - Any built development should be restricted to the site of the previous Viewfirth Sports and Social Club and add Developer Requirement that development should be no higher than the previous building.

TS13 Thurso Harbour

SEPA (906306) - Replace existing Developer Requirement for a Flood Risk Assessment with the following text: "Flood Risk Assessment required to inform layout and design. Only low vulnerability uses or operationally essential uses in areas shown to be at risk of flooding, to be accompanied by resilience measures."

TS15 Scrabster Harbour

SNH (909933) - Refer to the North Caithness Cliffs SPA, rather than a generic "Natura site", and be amended in line with other text referring to such sites within the LDP, eg to read "Development proposals will require to demonstrate that there would be no adverse effect on the integrity of the North Caithness Cliffs SPA."

Add the following Developer Requirement: "Development proposals will require to demonstrate that there would be no adverse effect on the integrity of the River Thurso SAC, for example (but not limited to) through noise and vibration caused by major construction activities such as piling."

SEPA (906306) - Replace existing Developer Requirement for a Flood Risk Assessment with the following text "Flood Risk Assessment required to inform layout and design. Only low vulnerability uses or operationally essential uses in areas shown to be at risk of flooding, to be accompanied by resilience measures."

TS17 North West Of Thurso Business Park

Amelia Walker (931321) - Change from a Long Term Industrial site to an Industrial allocation.

Summary of responses (including reasons) by planning authority:

Thurso General

Incorrect Reference to Thurso Charrette (paragraph 111)

It was recognised that in paragraph 111 (Thurso settlement supporting text) (paragraph 113 in the Proposed Plan) it mistakenly referred to Wick Charrette instead of Thurso Charrette. This mistake was noticed shortly after publication of the Proposed Plan and featured on the errata. The change was made at Modified Proposed Plan as a non-notifiable modification. No further comment was made on the matter during the Modified Proposed Plan consultation.

Reference to Scrabster Harbour Expansion Plans

The settlement text for Thurso highlights the role of Scrabster Harbour and the Enterprise Area in the future expansion of the town. The first of the Placemaking Priorities for Thurso states the support for the growth of employment uses related to the energy industry

through the allocation of strategically important business and industrial sites. This implicitly refers to Scrabster Harbour given that the only two industrial allocations are Scrabster Harbour and Scrabster Mains Farm. Despite this, to be more explicit and consistent with the level of support given to other harbours in the Plan, if the Reporter agrees the Council would be content with amending the Placemaking Priorities to: "Support the expansion of Scrabster Harbour, development of the Enterprise Area and extension of the Business Park to attract energy related opportunities which will create new employment opportunities."

Footpath from Thurso and Halkirk

The second last Placemaking Priority identifies the opportunity for improvements to the wider green network and footpath connections southwards. As there are no community groups or other organisations formally seeking ways to deliver a formal route from Thurso to Halkirk along the river the existing statement is considered adequate.

Food outlets in the Town Centre

The Town Centre First policy within CaSPlan sets out the Council's aim of encouraging retailers and other businesses that generate significant footfall into the town centre. The quantity of food outlets in a given area is a licencing issue which is a matter for Trading Standards and the Licencing Committee.

Quality of development in the Conservation Area

The Council is required to implement appropriate controls over development, demolition and advertising to safeguard and enhance conservation areas. Most works to the outside of a building or structure in a conservation area require planning permission and listed building consent. Development including shop front and advertisements must comply with a number of standard conditions and regional and national guidance.

Protection for other bird species

The comments made by RSPB Scotland are noted. Other species of birds that are not qualifying interests of the SPA are undoubtedly important, however, they are not defining factors of whether development can/cannot occur. Therefore, the text in the Plan (together with any additional amendments suggested by SNH during the Proposed Plan consultation) is considered to be the most appropriate wording for complying with Natura Habitats Directive. Development proposals not connected to Natura sites should be adequately protected by EIA (e.g. for large developments) and/or the Highland-wide Local Development Plan (HwLDP) (CD18) policies on wildlife (e.g. for EIA and smaller developments).

Community hall allocation

The Plan does not specifically identify a site for a new community hall as there are no community groups or other organisations formally seeking ways to deliver such a facility. Although the sites suggested at Olrig Street and Sinclair Street were submitted too late in the plan making process to be considered they are located within the identified town centre boundary where there is a presumption in support of footfall generating uses such as a community hall. There are also several sites allocated for Community uses in Thurso which would support a community hall proposal.

Comments in Support

Support from the landowner of Pennyland for paragraphs 108 and 111 is noted.

Support from Scrabster Harbour Trust for paragraphs 110 and 112 is noted.

The Caithness Chamber of Commerce's comments in support of promoting the energy and tourism sectors and support of the regeneration of the town centre and harbour area are noted.

The points raised by Ian Black are taken as being in line with and broadly supportive of the Plan, including a number of the Placemaking Priorities for Thurso. These broadly supportive comments are noted and welcomed.

Direction of Strategic Expansion

The main direction of growth for the town is well established, being allocated in the Caithness Local Plan in 2002 (CD17). Sufficient land is identified in the West for housing and employment uses together with suitable infrastructure improvements. Although the location of the waste water treatment works is an important consideration there are many other facilities situated on the west of the river. There is also capacity in the network to support the growth proposed within the Plan period. Upgrading of the network may be required if all the sites in the plan are built out.

At present there is no reasonable justification for changing the direction of growth and expanding to the east or south. If such reasons were presented then other sites may be preferable such as land at Oldfield as it could help to round off and provide a better entrance into the town.

Hotel Market – Supply and Demand

The following few sections address the comments received on the role of the tourism industry, the hotel market in Caithness and the implications of allocating land for a new hotel in Thurso. Comments on site specific hotel proposals are addressed in detail within the relevant site allocation section of this Schedule 4 Issue and Issue 11 Thurso West.

Tourism is key growth sector

Tourism is widely recognised as a sector which has significant growth potential in Caithness and could create a range of employment opportunities. It is identified as a priority sector within the Single Outcome Agreement (CD20) and the Council's Programme (CD21). Highlands and Islands Enterprise (HIE) also include tourism as one of their core Growth Sectors with an aim of promoting a "strong range of high quality tourism products" (CD41).

The strategy set out in CaSPlan is reflective of this, promoting and supporting tourism growth within the Vision, the Employment outcome and sites allocated for Tourism and Leisure uses. The Spatial Strategy also defines the East Coast Connectivity and Tourism Corridor (from Thurso and John O Groats to the Dornoch Bridge) which highlights the area shown to have particular untapped tourism potential. The Council's capital programme outlines a range of projects which will help to enhance tourism and recreational facilities and many of these are included within Proposed Action Programme.

Visit Scotland's development opportunities report

The 'Tourism Development Framework for Scotland: role of the planning system in delivering the Visitor Economy' published by Visit Scotland in July 2013 (and refreshed in December 2016) (CD33) sets out the way forward to assist and promote growth in Scotland's visitor economy to 2020. It supports the national tourism strategy 'Tourism Scotland 2020'(CD34) produced by the Tourism Leadership Group in 2012.

Visit Scotland's 'Aspirations and Ambitions… our development opportunities' report (CD35) which was referred to in the Proposed Plan supports the delivery of these strategies by presenting opportunities for each planning authority to consider in future development plans. As part of the strategy of 'Improving the Customer Journey' the report identifies "opportunities for mid range hotels… in Caithness". The report also notes that "North Highland Initiative Tourism identifies opportunities to develop the food and drink offering in the Highlands - this requires a clear plan and agreed priorities." The allocation in the Proposed Plan of TS12 and TS14 at Pennyland for a high quality hotel, restaurant and spa was considered to help the delivery of these opportunities. However, the Reporter will note that the Modified Proposed Plan does not include these site allocations following the Committee decision in August 2016 to remove the sites from the Plan. The Council does not propose any further modification to the Plan.

Recent growth in demand for tourism accommodation

The tourism sector has experienced a major boost since the launch of the North Highland Initiative's North Coast 500 (NC500) coastal route. The NC500 along with other tourism initiatives could have the potential to genuinely transform the tourism industry in Highland by attracting more visitors and developing a range of inter-related opportunities. The NC500 has already been identified as one of the world's greatest road trips by travel writers/publications. Recent publicity suggests that some areas along the route, particularly in Caithness and Sutherland, have experienced significant increases in visitor numbers.

The business travel market has also been buoyant over recent years and has provided more year round activity. Several major construction projects in Caithness (including two new schools and the National Nuclear Archive Centre in Wick and various wind farm developments) have boosted visitor numbers over recent years. It is recognised that the continuation of the business tourism market is difficult to predict. However, with steady growth in the marine renewables sector and the decommissioning of Dounreay expected to last now until a date range of 2030 to 2033 the trade from business visitors is expected to continue for at least the short to medium term.

The rise in both the business travel market and the rise in leisure tourism has resulted in increasingly frequent periods where securing any accommodation is difficult. There is a danger that these supply and demand conditions will cause prices to increase and act as a deterrent to some leisure visitors. This would in turn impact on the economic development of the area.

It is noted that there are a high number of hotels across Highland which are currently being advertised for sale. To an extent this reflects market conditions and challenges of operating in a more rural part of the mainland. However, more recently several appear to have been purchased, including The Pentland Hotel in Thurso, Castle Arms Hotel in May, Ackergill Tower near Wick and the Portland Arms Hotel in Lybster. This indicates that

confidence in the Caithness hotel market may be growing.

Existing accommodation supply

The Highlands and Islands Enterprise (HIE) led programme "A framework for destination development. Ambitious for Tourism Caithness and North Sutherland" (2011) (CD36) review recognised a perceived deficit in terms of accommodation supply, as symptomatic of a wider level of inertia in terms of tourism development across the region: "... the area has failed to evolve its product/destination experience offering, in line with the changes currently taking place in the market and envisaged to take place over the medium/longer timeframe, i.e. 5 to 10 years. This is evident in the accommodation sector in particular, where there is a shortfall in certain types of product and quality of offering, e.g. self-catering/smaller scale resort facilities and those with supporting leisure facilities, etc."

Accommodation as 'attractors'

Despite claims that hotels do not attract visitors to an area the report mentioned above also identified that in most cases overnight accommodation is an 'attractor' in its own right. It states that visitor accommodation "pull[s] people into the area just as much as it is a 'support[s]' service to those who choose to enter the area to participate in a particular pastime/activity, etc." Although the report highlights that accommodation as an attractor is more apparent in other more established tourism centres in the Highlands and other locations across rural Perthshire it indicates that overnight accommodation, particularly high quality hotels, attract people into an area.

Current review of visitor accommodation

Although the study on visitor accommodation in Caithness which is being commissioned by Highlands and Islands Enterprise (HIE) (CD42) has yet to be fully published (as of April 2017) an advanced draft has been considered as part of this response. It is noted that the issues raised within the study appear to correlate with many of the comments raised by objectors, including: concerns over the potential decline of demand from business travel; susceptibility in relation to cyclical trends; and seasonality of leisure visitors. However, the findings also back up the reasons for a higher quality hotel development with leisure facilities including: momentum generated from successful tourism initiatives; continuation of high levels of business travel customers; opportunities arising from growth in the energy/renewables industry; and dissatisfaction with the range of accommodation and facilities on available.

Concluding remarks

The Council believes that the tourism industry has a key part to play in the future of the Caithness economy and that improving the range of tourism facilities is necessary for the potential growth to be realised. As a result the Council are not minded to remove all hotel allocations from the Plan.

TS01 East of Juniper Drive

Support for the site is noted. The sites at Pennyland and High Ormlie form the basis for strategic expansion of the town and will help to deliver improved transport infrastructure. However sites such as TS01 are important to provide a level of flexibility to developers. In addition, TS01 may present a more effective housing site in the short term than some parts

of TS04 Thurso West which requires significant investment to open it up for development. Therefore, the Council is not minded to remove the site allocation.

TS02 Site at Mount Pleasant

Support for the site is noted.

Housing development at Mount Pleasant has been supported in the past and a degree of capacity still remains within TS02. However, the large site which featured as non-preferred in the MIR was not taken forward as it would represent a significant expansion of the town to the east. This would go against the agreed approach to continue to support the well established strategy to expand the town to the west. The rationale to expand westwards has been set out above. There is also sufficient housing land allocated in the west and in other locations in the town and at present there is no need to identify further housing land.

TS03 West of Upper Burnside

Support for the Long Term Housing site is noted.

The site forms part of the long term expansion strategy of the town and would be important to the delivery of the distributor road linking Ormlie Road with the A9 at Scrabster. Due to the amount of housing land put forward for development the Council has had to prioritise land allocated for housing. The link between Provost Cormack Drive and the Business Park is the most important component of the distributer road. The section at TS03 would then represent the later phase. As a result TS03 has been identified as a Long Term site.

The potential relief road route was a topic of discussion during the charrette. A general consensus was reached that the preferred route should continue to connect with the B784 immediately south of Dunbar Hospital but pass on the west of the Business Park rather than the gap to the east (i.e. as per the Caithness Local Plan (2002) (CD17) and Thurso Western Expansion Area Development Brief(CD23). As a result the new road line was shown within the Main Issues Report. Although comments received were generally supportive of the route given that no technical assessment has been prepared to identify the suitability of the proposed route the line shown in the existing Development Plan has also been shown to ensure it remains as an option. Developers of TS04 will be required to deliver the early phases of the distributor road which will service the western expansion areas and help to connect up several areas in Thurso west.

The Council notes the comment from Scottish Water regarding early engagement. However, the responsibility of ensuring an appropriate water supply connection lies with the landowner/developer and Scottish Water.

TS04 Thurso West – See Issue 11

TS05 Former Mart Site

The reasons given in support for the inclusion of the Mixed Use allocation is noted, including: the potential demand for such uses; the potential to expand the range of facilities the town has to offer; and the regeneration of a prominent brownfield site.

Planning application status

In response to comments regarding the status of the previous planning permission, the principle of retail development was established on the site as part of the planning consent given to Tesco in 2008 (08/00494/REMCA). This consent is now 'locked on' as Tesco provided evidence that a 'meaningful start' has been made. As a result the Council are not minded to remove reference to the planning permission 08/00494/REMCA.

The new landowners of the site lodged a planning application (15/04656/FUL) for the erection of 2 retail units including a garden centre and new car parking area for Thurso rail station. Due to unresolved concerns raised by the Council as of April 2017 the application is still pending determination.

Masterplanning and development proposals

Policy 2: Delivering Development of CaSPlan states that "larger sites must be appropriately masterplanned. Each phase of development will need to show its relationship to this overall masterplan and demonstrate how the required infrastructure will be delivered". Given the size of TS05 and that the whole site is in the single ownership of the applicant a masterplan should be prepared to address issues such as future development opportunities, siting and design principles, active travel and transport infrastructure etc. This will also help present an overall vision for the site. To clarify this requirement if the Reporter was so minded the Council would be content with the following Developer Requirement being added: "Developer-led masterplan to accompany any planning application".

The aspirations for the redevelopment of the Former Mart Site were discussed at the Thurso Charrette. As shown on page 74 of the Charrette Report (CD25), it was established that a Mixed Use site would be the most suitable. It was also considered that an office type development should be located on the north western side, which adjoins the train station, as this would "lend some presence to the site when viewed from the town centre up Princes Street". The illustration on page 75 also provides an example of the type of building design which was envisaged, making a sympathetic and valuable contribution to the street. To address comments relating to streetscape design and ensure that the principles above are incorporated within any proposals for the site, if the Reporter is so minded the Council would be content with the following Developer Requirement being added: "Sympathetic streetscape siting and design and street frontage on the northern part of the site to reflect its immediate surroundings, proximity to heritage features and prominent location".

Transport concerns

In response to comments about improvements to the site and the High School, it is recognised that the current road layout along Ormlie road leads to potential conflicts between different modes of transport. Development of TS05 has the potential to exacerbate the situation, particularly for access and parking arrangements associated with the High School. As a result, if the Reporter is so minded then the Council would be content with the following Developer Requirements being added: "Transport Assessment"; and "Improvements to the current access and parking arrangements associated with the High School and Ormlie Road".

Tourism and Leisure allocations on Former Mart Site

The planning application (15/04656/FUL) on the northern section of the site for large retail units is currently pending. However, some aspects of this application are not considered to represent the expected site layout, siting and design. They show little consideration of the local context and of the aspirations set out in the Charrette.

The subsequent response from the landowner to the Proposed CaSPlan consultation requests that the site should also be allocated for a hotel development. The range of uses identified for TS05 Former Mart Site includes Business, Tourism and Leisure; these would support the principle of a hotel development. Given the landowner wishes to develop retail on the northern part of the site any future hotel development would then be located to the south. However, we would consider that the best location for a hotel would be on the northern part of the site. This would be closer to the town centre and adjacent to the railway station and would lend its self more to a street frontage which integrated well with the surrounding area. It is also believed that the southern part of the site could be less attractive for a hotel development due to its neighbouring uses and would appeal more to a budget/branded level hotel.

The Council is also minded to consider the response by the Scottish Government (January 2016) to the Main Issues Report for the Highland-wide Local Development Plan review (CD15). The Scottish Government highlight Scottish Planning Policy (SPP) (CD01) paragraph 71 which indicates that development proposals, including retail, leisure, business and public buildings, which are outwith town centres should be thoroughly assessed and demonstrate that the impact on the existing town centre is acceptable. Taking this into account and the site layout issues described in the above paragraph, and if the Reporter is so minded, the Council would be content with the an additional Developer Requirement being added for a Town Centre Impact Assessment to be carried out to assess the economic impacts of a new hotel on the town centre hotel market.

Retail allocation

In response to the objection on behalf of the Co-Op to the retail allocation, the site has been allocated for retail as it currently has a live, locked on planning permission for a supermarket. However, the large retailer has since withdrawn interest and the site has been sold the supermarket proposal is not likely to now go ahead. As a result to help clarify this position if the Reporter is so minded the Council would be content with amending the Developer Requirements to: “Planning permission 08/00494/REMCA remains live. Any future applications on TS05 must address: active travel route to be established…”

The response to comments on the Council’s approach to Town Centre Health Checks is outlined in Issue 3 Growing Settlements.

A retail impact assessment was carried out as part of the original application process and it was considered not to have an undue adverse impact on the town centre. As the market will have changed since then and the type and scale of any retail development on the site is likely to be different. To highlight that retail proposals of a certain type or size would require a retail impact assessment to be carried out if the Reporter is so minded the Council would be content with the following Developer Requirement being added: “Retail impact assessment may be required”.

See Issue 3 Growing Communities for the response to issues relating to the allocation of land for retail uses outwith town centres.

Replacement of telephone box

Maintenance/replacement of telephone boxes is not a planning issue but the responsibility of BT. No modification is proposed to the Plan.

TS06 Former Mill Site at Millbank

Support for the Mixed Use allocation is noted.

The site covers the C-Listed foundry which is a collection of traditional 19th Century industrial buildings made using local Caithness materials. The foundry has local heritage value and benefits from h an attractive setting next to the river. Therefore the site has been allocated for a mix of uses to encourage its redevelopment/regeneration. The redevelopment of the adjoining former mill building into the Old Mill Theatre has been a great success and provides a valuable asset to the town. Given the heritage value and attractive setting of TS06 small retail/craft units and/or a small hotel would help to improve the appearance of the area and contribute to the tourism offer. As the building is C-Listed and the neighbouring building is B-Listed it is expected that the scale of development will be modest and not detract from existing businesses in the town centre.

Although the scale of development is not considered to be a threat to the town centre, Policy 1 Town Centre First states that "If the Council considers that a proposal may result in an adverse impact on the vitality and viability of any defined town centre, the developer will be required to produce a retail impact assessment, tailored to reflect the scale and function of the town centre in question. The Council will only support proposals accompanied by competent assessments that demonstrate no significant adverse impacts."

See Issue 3 Growing Communities for the response to issues relating to the allocation of land for retail uses outwith town centres.

In respect to comments on the allocation of retail sites outwith town centre boundaries please see Issue 4 Employment. This provides a more broad response on the implementation of the Town Centre First Policy.

The risk of flooding was identified as part of the Strategic Environmental Assessment (SEA) (CD07) and a flood risk assessment has been included as a Developer Requirement. This will ensure that appropriate mitigation is identified to inform any development proposals.

TS07 Land at Sir Archibald Road

Support for the Mixed Use allocation is noted.

The aspiration to redevelop and enhance the appearance of the east bank of the river was first identified within the Caithness Local Plan (CD17). It was an issue which was also discussed in detail at the Thurso Charrette where the replacement of employment uses with residential and mixed use regeneration could greatly enhance the river corridor. The Charrette Report noted that "This would create more natural landscapes and habitats

whilst providing amenity for local people and visitors with focused areas for leisure, recreation and culture." This is reflected by the Mixed Use allocation in the Plan.

The limitations of encouraging existing industrial businesses to relocate are acknowledged. However given the desire within the community of redeveloping the area and its prominent location this should remain as part of the Plan.

The suggestion that the site could help connect footpath provision along the coast is noted. The enhancement of active travel connections through the site is already identified as a Developer Requirement. However, if the Reporter is minded a Proposed Path could be added to the Thurso map as this may provide greater clarity to prospective developers and the community.

Concerns over protection for existing residents at the site are noted. The allocation includes several residential properties which are not envisaged as being redeveloped. Therefore to help protect these houses and give residents assurance the Council would be content were the Reporter minded to remove these from the allocation.

It may be noted that the respondents who object to the range of uses allocated not including hotel appear to be suggesting it as an alternative to development of TS14. However, these sites are arguably less attractive for a quality hotel given the adjoining uses and limited views. As this site was also not suggested by the landowner or potential developer then the Council are not minded to modify the Plan to include hotel as one of the mix of uses.

<u>TS08 Land at Bridgend</u>

Support for the Mixed Use allocation is noted.

The aspiration to redevelop and enhance the appearance of the east bank of the river was first identified within the Caithness Local Plan (2002) (CD17). It was an issue which was also discussed in detail at the Thurso Charrette where the replacement of employment uses with residential and mixed use regeneration could greatly enhance the river corridor. The Charrette Report (CD25) noted that "This would create more natural landscapes and habitats whilst providing amenity for local people and visitors with focused areas for leisure, recreation and culture." This is reflected by the Mixed Use allocation in the Plan.

The site is considered to be effective and presents a suitable development opportunity. Much of the site has been cleared and the estate agent's website appears to show that it has recently been purchased. The site is not considered suitable for a public car park given potential access constraints and the Council is unlikely to be in a position to deliver such a facility, particularly given the ongoing budgetary constraints the Council is facing.

The suggestion that the site could help connect footpath provision along the coast is noted. The enhancement of active travel connections through the site is already identified as a Developer Requirements. However, if the Reporter is minded a Proposed Path could be added to the Thurso map as this may provide greater clarify to prospective developers and the community.

The risk of flooding was identified as part of the SEA (CD07) and a flood risk assessment has been included as a Developer Requirement. This will ensure that appropriate mitigation is identified to inform any development proposals.

It may be noted that the respondents who object to the range of uses allocated not including hotel appear to be suggesting it as an alternative to development of TS14. However, these sites are arguably less attractive for a quality hotel given the adjoining uses and limited views. As this site was also not suggested by the landowner or potential developer then the Council are not minded to modify the Plan to include hotel as one of the mix of uses.

TS09 North of Scrabster Community Hall

Support for the Housing component of the Mixed Use allocation is noted.

Shortly before the publication of the Proposed Plan the owner of the northern part of TS09 was in contact with the Council to inform that they had no intention of developing the site for the proposed uses. It appears that the land was put forward at Call for Sites stage as part of a larger suggestion by the neighbouring landowner who would require access through TS09 to develop their site. The owner of TS09 has gained planning consent for a large domestic shed on the area north of St Clair Avenue. Although the owner did not submit a representation during the consultation if the Reporter agrees the Council would support the removal of site from the Plan.

The Council believes that SEPA's request is based on sound evidence. Therefore, should the Reporter not opt to remove the site and if the Reporter is so minded, the Council is content for the following developer requirement being added: "Flood Risk Assessment (no development in areas shown at risk of flooding". This will address any issues relating to surface water drainage and flood risk which are set out in the HwLDP (CD18) at Policy 64 Flood Risk and Policy 66 Surface Water Drainage and the associated Flood Risk and Drainage Impact Assessment Supplementary Guidance (CD13).

TS10 North west of Dunbar Hospital

Long Term site

The site at Dunbar Hospital was identified in the existing Caithness Local Plan (CD17) for longer term expansion of the settlement. It states that the site along with land at Pennyland should only come forward when all other allocations have been developed. As part of the Thurso Western Expansion Area Development Brief (2003) (CD23) the site was also identified as the last phase of development. Although several of the allocations identified the Caithness Local Plan have since been built out the land at Pennyland remains undeveloped and continues to be the strategic expansion area for Thurso.

The points raised by the landowner in support of the site are noted and the Council agrees that the site presents a reasonable housing option. However, with sufficient existing capacity at Pennyland and other brownfield sites the land at Dunbar Hospital is not required within the timescales of CaSPlan. Consequently the Council are not minded to allocate the land for Housing but for it to remain as a Long Term Housing site.

Site boundary

The western side of the site shown in the Caithness Local Plan (CD17) does not follow field boundaries or obvious topographic features. It appears to be indicative due to the longer term nature of the site. The area shown within CaSPlan uses the same southern boundary line as Dunbar Hospital and it extends up to the former driving range. As a Long

Term site it shows only the likely direction of growth beyond the Plan period. Therefore the exact allocation boundary will be confirmed if the site is considered suitable at future plan reviews.

Additional bus stops

The need for additional bus stops will be determined if the site is taken forward as an allocation in a future plan review or at planning application stage.

TS11 Viewfirth Park

There has been a long held desire by many in the local community for the development of a dedicated high quality sports facility. Within the existing Caithness Local Plan (CD17) the need for a sports facility in the town was highlighted and potential site options for it were identified, including Viewfirth Park.

Over recent years Thurso Community Sports Hub (TCSH) has been working on delivering a running track and indoor sports facility in Thurso. TCSH has been promoting Viewfirth Park as the most suitable site, citing its central location, proximity to schools, the site being relatively flat, and it's financially available given its land ownership. No other sites were suggested to the Council by any of the key stakeholders as potential alternative locations for the facility.

The site was re-assessed as part of the preparation of CaSPlan and it featured as a potential Community allocation within the Additional Sites and Ideas Consultation for CaSPlan (March to April 2015). The response from the public and many of the local sports clubs was overwhelmingly positive.

The Plan allocates Viewfirth Park for Community uses as it is an established sports and recreational site and to show the continued support for such uses. Transport issues and potential impacts on the amenity of local residents are recognised as being potential constraints to large scale development of Viewfirth Park. To ensure that transport issues are fully considered a Developer Requirement has been included for a Transport Assessment to be carried out with a particular focus on the local transport network, access and parking arrangements. Although the right to a private view is not a material consideration in the planning system due consideration will be given at the planning application stage to any impact on residential amenity including the height of any buildings. Any planning application will also be considered against relevant HwLDP (CD18) policies, such as Policy 28 - Sustainable Design, Policy 29 - Design Quality and Place-Making, Policy 51 - Trees and Development, Policy 75 - Open Space and Policy 76 - Playing Fields and Sports Pitches.

Should the sports hub proposal be progressed further then at planning application stage it would need to demonstrate that the site can adequately accommodate the development and there would be no undue adverse impacts on the local community.

At this stage the Council may also seek to consult Sportscotland on the suitability of the proposed facilities (e.g. the number of running lanes and adequate space for spectators). It is also assumed that given the proposal will require funding from sources such as Sportscotland that the adequacy of the facilities will be thoroughly assessed to secure funding for the project to proceed.

For these reasons the Council are not minded to remove the Community allocation at Viewfirth Park.

TS12 East of Burnside see Issue 12

TS13 Thurso Harbour

Support for the allocation and a water sports facility is noted.

The Council believes that SEPA's request is based on sound evidence. Therefore, if the Reporter is so minded, the Council is content for the following developer requirement being deleted and replaced with "Flood Risk Assessment required to inform layout and design. Only low vulnerability uses or operationally essential uses in areas shown to be at risk of flooding, to be accompanied by resilience measures."

TS14 Land West of Caravan Park see Issue 12

TS15 Scrabster Harbour

Support for the Industrial allocation is noted.

SNH has suggested revising the mitigation in the Appropriate Assessment to read: "Development proposals will be required to demonstrate that there would be no adverse effect on the integrity of the North Caithness Cliffs SPA". SNH also request the following Developer Requirement is added: "Development proposals will require to demonstrate that there would be no adverse effect on the integrity of the River Thurso SAC, for example (but not limited to) through noise and vibration caused by major construction activities such as piling." As the Habitat Regulations Assessment (HRA) (CD09) requires to be signed off by SNH for the plan to be adopted, the Council is content for this developer development to be added to this site.

The Council believes that SEPA's request is based on sound evidence. Therefore, if the Reporter is so minded, the Council is content for the following developer requirement being deleted and replaced with "Flood Risk Assessment required to inform layout and design. Only low vulnerability uses or operationally essential uses in areas shown to be at risk of flooding, to be accompanied by resilience measures."

TS16 Land at Scrabster Mains Farm

Support for the Industrial allocation is noted.

TS17 North West of Thurso Business Park

The area was identified at the Thurso Charrette for employment purposes, more specifically as a long term expansion of the Enterprise Area site TS16. It is recognised that inclusion of additional land south of TS16 likely exceeds the requirements for business and industrial land during the Plan period. Nevertheless the inclusion of the site indicates the longer term vision for the area and the support for the growth of employment uses. Business and Leisure uses are not considered suitable for this site due to the neighbouring industrial allocation at TS16 and suitable Business and Leisure land being allocated elsewhere in Thurso.

Reporter's conclusions:

Thurso General

Incorrect Reference to Thurso Charrette (paragraph 111)

1. Representations indicate that paragraph 113 of the Original Proposed Plan referred to the Thurso Charratte being in Wick rather than in Thurso. This is clearly a mistake because paragraph 113 is concerned with Thurso, where the Thurso Charrette was held. The planning authority explains that it corrected this minor mistake in the Modified Proposed Plan (see paragraph 111) as a non-notifiable modification. In these circumstances, it is unnecessary for me to make any adjustment.

Reference to Scrabster Harbour Expansion Plans

2. Paragraph 110 of the Plan highlights the Scrabster Renewable Energy Area and upgrades to the harbour facilities, and the first Placemaking Priority for Thurso indicates that the growth of employment uses relating to the energy industry is promoted and supported through the allocation of strategically important business and industrial sites.

3. A representation from the Scrabster Harbour Trust expresses concern about the absence of detail in the Plan on the harbour or its future prospects. In response, the planning authority is content to change the first Placemaking Priority so that it would explicitly refer to the expansion of Scrabster Harbour, the development of the related Enterprise Area and the expansion of the Business Park. I am satisfied that this change would properly address the terms of the representation, and that it would mean that the Plan contained similar wording for Scrabster Harbour, Wick Harbour and Gills Harbour. To the extent that the proposed change would help promote appropriate economic activity important to the Plan area, and that the effects on the natural and built environments have the potential to be mitigated, I consider that it would be broadly consistent with the thrust of Scottish Planning Policy (SPP).

4. Overall, an adjustment is required to the Plan, as set out below.

Footpath from Thurso and Halkirk

5. The penultimate Placemaking Priority for Thurso in the Plan seeks the improvement of connections to the wider green network including a footpath from Thurso along the Mall Walk and extending southwards.

6. A representation seeks the promotion of a footpath route in the Plan along the riverside from Thurso to Halkirk. I am satisfied that the penultimate Placemaking Priority for Thurso provides some support for the requested footpath. The Report of the Thurso Charrette is also supportive because it refers in its vision for Thurso to incrementally extending the riverside Mall Walk upstream into the countryside, possibly eventually connecting to the river source at Loch More and the Caithness flow country. However, given that no route has been proposed for a footpath between Thurso and Halkirk, that no community group or other organisation are currently proposing a formal path in this location, and that the difficulties of establishing such a path have not been investigated, I consider that it would be inappropriate to include the requested path in the Plan.

7. In general terms, I am satisfied that the Plan makes reasonable provision for

encouraging enhanced opportunities for access in this area. Moreover, I believe that a path such as that requested would be best taken forward through the review of the Core Path Plan, which is concerned with providing a network of paths in an area, rather than through the Local Development Plan.

8. Overall, no adjustment is required to the Plan.

Food outlets in the Town Centre

9. A representation expresses concern about the way the council has dealt with a retail application on the Former Mart site (TS05) and applications for food outlets on Princes Street. I note that the Plan identifies retail as one of the appropriate uses for the Former Mart site. I am satisfied that Policy 1 (Town Centre First) of the Plan, as recommended for modification at Issue 03, and the policies in the Highland-wide Local Development Plan (HwLDP) (e.g. Policy 28: Sustainable Development) provide a reasonably appropriate framework for dealing with planning applications for food outlets on Princes Street and retail uses in general. I consider that these policies are consistent with achieving an appropriately vibrant town centre. I believe that concerns such as those raised are best addressed by ensuring that the policies in place are properly and reasonably applied at the development management stage, a matter which falls outwith the scope of this examination. Further control over food outlets is exercised through the issuing of licences.

10. Overall, no adjustment is required to the Plan.

Quality of development in the Conservation Area

11. A representation expresses concern about the quality of development in the Conservation Area. I consider that the policies in the Highland-wide Local Development Plan (HwLDP), including Policy 57: Natural, Built and Cultural Heritage, seek to ensure that development does not have an unacceptable impact on the Conservation Area. When this is taken together with section 64(1) of the 1997 Town and Country Planning (Listed Buildings and Conservation Areas) (Scotland) Act, which requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area, I am satisfied that there are adequate controls in place to properly and reasonably regulate development, and to take appropriate care of the historic environment in line with Scottish Planning Policy (SPP). I am not persuaded that further guidance is necessary.

12. Overall, no adjustment is required to the Plan.

Protection for other bird species

13. A representation proposes that a new Placemaking Priority for Thurso be added to the Plan, which would require development proposals at Thurso and Scrabster Harbours not to adversely impact on the North Caithness Special Protection Area (SPA) or on populations of foraging seabirds. I consider the need for a reference to the North Caithness SPA, an important international designation, at Scrabster Harbour in the site specific allocation at TS15 below.

14. In general terms, I agree with the planning authority that the Environmental Impacts Assessments that may be required for larger development proposals combined with the suite of policies in the Highland-wide Local Development Plan (HwLDP) (e.g. Policy 57:

Natural, Built and Cultural Heritage, Policy 58: Protected Species, Policy 59: Other Important Species, and Policy 60: Other Important Habitats and Article 10 Features), should be sufficient to safeguard the interests of populations of foraging seabirds, and those of the North Caithness SPA. Furthermore, the Developer Requirements for the allocations in Thurso and the Plan will highlight, where necessary, and subject to the recommendations of this report, the need to take into account the effects of development proposals on SPAs and protected species.

15. I believe that these provisions, taken together, are sufficient to satisfy the policy principles set out for the natural environment in Scottish Planning Policy (SPP), particularly those for conserving and enhancing protected sites and species, and promoting the protection and enhancement of the water environment, including coastal waters. In the circumstances, I am not persuaded that an additional Placemaking Priority along the lines sought, is required.

16. Overall, no adjustment is required to the Plan on the basis of this representation.

Community Hall Allocation

17. A representation requests that provision be made in the Plan for a community hall to serve as a central meeting place and for use by local organisations. I note that 2 of the possible sites identified in the representation for a hall are in the town centre, where such a facility would normally be encouraged to locate. However, there is no indication that the feasibility of establishing a community hall on these sites has been considered. Furthermore, the planning authority highlights that there is no community group or other organisation formally seeking the development of such a facility. Given the uncertainties around it, I do not believe that it would be appropriate to include in the Plan a specific allocation for a community hall.

18. There are a number of Community allocations in the Plan, which the planning authority believes could support this type of facility. This would provide some options for a community group or other organisation to explore if it decided to pursue the development of a hall. I do not consider that the Plan could reasonably go beyond this.

19. Overall, no adjustment is required to the Plan.

Comments in Support

20. A number of representations support the general strategy for Thurso, including the proposed Western expansion, the development of Scrabster and Thurso Harbours, and the redevelopment of the riverfront. In themselves, they raise no matters which require further consideration at this examination.

Other representations not dealt with elsewhere in these Conclusions

21. One representation expresses concern about the relevance of the fourth Placemaking Priority for Thurso, which promotes the establishment of a green network stretching from the coastline to a new community woodland north of the golf course. The Glossary of the Plan defines a green network as a network of existing and proposed green spaces and green corridors within and around settlements, linking out into the wider countryside, which help to enhance the area's biodiversity, quality of life and sense of place. They are made up of woodlands, other terrestrial habitats, watercourses, wetlands, and other open space.

While some elements of the network referred to in the fourth Placemaking Priority may already exist, the establishment of a full green network at this location would require to be considered within the context of the western expansion proposals for Thurso. Maintenance, including that for the proposed community woodland, can be considered when more detailed proposals for the green network are prepared. In the circumstances, I am satisfied that the fourth Placemaking Priority remains relevant and that it should be retained in the Plan.

22. Another representation seeks reassurance that Developer Requirements and contributions are not too onerous, particularly during the early phases of a development. There is no doubt that Developer Requirements and contributions have a role in the planning system because they can be used to overcome obstacles to the grant of planning permission. As such, they can allow development to be permitted or enhanced and potential negative impacts on land use, the environment and infrastructure to be reduced, eliminated, or compensated for. Circular 3/2012: Planning Obligations and Good Neighbour Agreements explains that requirements and contributions must meet a number of tests, ie they must be necessary, serve a planning purpose, relate to the proposals, relate fairly and reasonably in scale and kind, and be reasonable in all other respects.

23. I am satisfied that Policy 2: Delivering Infrastructure and Policy 31: Developer Contributions of the Highland-wide Local Development Plan (HwLDP) appropriately reflect this approach. The former requires the provision of the necessary infrastructure, services and facilities to support new development (based on the Developer Requirements set out in the Plan for each allocation, or as identified in accordance with the development plan when more detailed proposals come forward), and the latter explains that the requirements will be funded by fair, reasonable and proportionate contributions in cash or kind, importantly allowing flexibility in the approach. In the circumstances, I do not consider that any change is required to the introductory section on Thurso (paragraphs 104-114) or Policy 2: Delivering Development of the Modified Proposed Plan. Concerns raised about the Developer Requirements for individual allocations are dealt with in the site specific conclusions.

24. A further representation contends that not enough consideration has been given to the routing of large vehicles through the centre of Thurso. I note that paragraph 112 in the Modified Proposed Plan points out that strategic transport improvements have been a priority for several decades. The paragraph sets out proposals for dealing with congestion and the movement of traffic in the town, including in the town centre. It puts forward a scheme based on providing a distributor/relief road as part of the western expansion of Thurso. While there is no commitment to funding such a road and it lacks support from Transport Scotland, I consider that it is an important piece of strategic transportation infrastructure which would help deliver the full benefits of the proposed expansion. I believe that such a road would address many of the town's traffic issues, including the difficulties arising from the main traffic route being through the town centre. However, I have concluded at Issue 11 that it can only be identified, at this stage, as a long term potential route. It may be that there are other traffic related measures that could be introduced in the shorter term to alleviate the difficulties arising, but none are before the examination. In the circumstances, I am satisfied that no more can be done through the Plan to deal with this issue.

25. Two representations question the assumption in paragraph 108 of the Modified Proposed Plan that the marine renewables sector is a significant growth sector. I am not persuaded that the prospects of the marine renewables industry should be downplayed.

National Planning Framework 3 refers to the resource of the Pentland Firth and Orkney Waters and its pioneering role in marine energy, and it identifies Thurso and Scrabster (along with Wick) as having an important role to play as centres for investment, hubs for transport and servicing and as places to live and work. I also note that an Enterprise Area for Renewable Energy has been declared in the area to attract investment and support the growth of Scrabster Harbour, that the harbour has the potential to be an operations and maintenance base for the marine renewables industry, and that the planning authority has seen positive signs of increasing activity in marine renewables. The marine renewables industry is an economic growth opportunity. In the circumstances, I believe that it is acceptable for the Thurso section of the Plan to identify the town as having the potential to benefit from the industry, and to indicate that this sector has been identified as one of significant growth.

26. Overall, no adjustments are required to the Plan.

Direction of Strategic Expansion

27. A few representations contend that there is no logic in expanding Thurso to the west, and that any expansion should focus on other areas of the town, including to the east. The western expansion of Thurso is predominantly focussed on TS04 (Thurso West), and I have dealt with this allocation in more detail at Issue 11, along with the proposed distributor/relief road (which I have also considered above). I note that a strategic expansion to the east of Thurso and the River Thurso was considered in the Main Issues Report (MIR), but that it was identified as a non-preferred location. I also note that expansion to the east has not been shown as more likely to take place in a shorter timeframe than expansion to the west, and I am concerned about the potential landscape impact of an eastwards expansion because of the generally more open nature of the landscape. I acknowledge that the waste water treatment works is on the eastern side of Thurso, and that this helps the case for expanding Thurso eastwards. However, this is not the only factor which has to be taken into account in determining the location of any strategic expansion.

28. In principle, I agree with the planning authority that the most logical direction for a strategic expansion of Thurso is to the west. It would be a continuation of the strategic expansion area identified in the adopted local plan. A westerly expansion of the town would respond well to the local economic and employment opportunities available with Scrabster Harbour, the associated Enterprise Area for Renewable Energy, Thurso Business Park, and the town centre all being on the western side of Thurso and nearby. It would have good accessibility to local community facilities and the greater part of the built up area, and it could also potentially lead to the delivery of strategic transportation improvements. As such, I consider that the proposed westwards expansion of Thurso would respect the principles of sustainable development set out in Scottish Plan Policy (SPP). In all the circumstances, I am satisfied that it is appropriate for the Thurso section of the Plan to continue to identify the direction of strategic expansion as being to the west.

29. Other possible locations for a strategic expansion would only need to be considered if it becomes clear in the future that the western expansion is not moving forward in a reasonable timeframe. Based on my experience, the strategic expansion of the town would be likely to be equally challenging in whichever direction it went because such allocations are almost invariably complex to bring forward, have significant impacts, and require major investment.

30. In the interests of maintaining a generous housing land supply, and of providing flexibility and a variety of housing sites, I do not favour removing some allocations from the Plan as a way of encouraging housing development on other allocations, such as the western expansion area or TS01 (East of Juniper Drive) and TS10 (North West of Dunbar Hospital).

31. Overall, no adjustments are required to the Plan.

Allocation of Land for a Hotel

32. A number of representations are concerned about the development of more hotel accommodation in Thurso, and the adverse effects this could have on existing hotels (including closure) and the town centre. The concern is principally aimed at the Original Proposed Plan, which includes a hotel business proposal at Pennyland (TS14 [Land West of Caravan Park]), and a reference to this and VisitScotland's Tourism Strategy at paragraph 111. The proposal and reference to it have been dropped from the Modified Proposed Plan, but tourism continues to be promoted. At paragraph 109, in the Modified Proposed Plan, references to improving the tourism experience and to work that has taken place on 2 projects (John O'Groats and the North Coast 500) have been retained. I have dealt in more detail with the hotel proposal at Pennyland in Issue 12. I note that there is support for reinstating the proposal in the Modified Proposed Plan.

33. The planning authority highlights 5 reports – 3 by VisitScotland and 2 by Highland and Island Enterprise. In general terms, these reports highlight the important role that tourism has in areas such as this. They also confirm that accommodation can be a driver of tourism revenue and economic growth, and some possible emerging growth areas are identified, such as nature based tourism, country house hotels, resort developments, and budget hotels. One of the reports (Tourism Development Framework for Scotland: Aspirations and Ambitions…our development opportunities, July 2013) identifies opportunities for mid range hotels in various locations, including Caithness, and another (A Framework for Destination Development – Ambitions for Tourism Caithness and North Sutherland, April 2011) indicates that the area has failed to evolve its product/destination experience offering, particularly in the accommodation sector.

34. I acknowledge that successful initiatives, such as the North Coast 500, Venture North and the North Highland Initiative, boost tourism, that there are ongoing requirements from business travellers, and that there are potential links between tourism and the growing food and drink sector. There are also issues over the quality of existing accommodation and the impact of seasonality, including the availability of accommodation in the peak summer season. On the other hand, the most recent report (Visitor Accommodation Survey and Review [Caithness], May 2016), which is a draft, indicates that the level of hotel bedroom provision in Caithness is above average (43 permanent residents for every room) in comparison with Scotland (82 residents) and the UK (108 residents). Moreover, the report indicates that over 35% of all hotels in the area have been placed on the market during the course of 2014/15 (some of which now have new owners).

35. Given that tourism is seen as having a key role in the area's economic development, I agree that it is appropriate to promote associated facilities, such as hotel accommodation which can act as an attractor in its own right. However, there are challenges, including the area's rural and remote location, and care needs to be exercised because gaps may be identified in provision but they will not necessarily translate into potentially viable and realistic development opportunities. While I note that the principal budget hotel operator in

the UK (Whitbread) identified Thurso as a target location in 2015, no firm proposals appear to have come forward as yet. Additionally, it appears that there has been no operator interest in developing the high quality hotel that was envisaged at Pennyland (TS14) in the Original Proposed Plan.

36. I believe that the Modified Proposed Plan appropriately recognises the importance of the tourism sector and makes reasonable provision for the development of new hotel facilities in Thurso by identifying 2 possible mixed use allocations (TS05 [Former Mart site] and TS06 [Former Mill Site at Millbank]) as possible hotel locations. I am not satisfied that it has been shown that the hotel proposal at Pennyland is a potentially viable and realistic development opportunity, which is likely to come forward within the timeframe of the Modified Proposed Plan (or beyond). Furthermore, in light of the provisions of the Modified Proposed Plan, I do not believe that there is a pressing need to identify an additional location for a hotel development at this time. Drawing the above conclusions together with my conclusions at Issue 12, I do not consider that the proposal for a hotel at TS14 or the reference to a high quality hotel at Pennyland in the general introductory text for Thurso (paragraph 111 in the Original Proposed Plan) should be reinstated in the Modified Proposed Plan.

37. Regarding the adverse effects that new hotels could have on existing similar facilities, I note that development plans, and the planning system as a whole, are not concerned with protecting the private interests of an existing business. This is a well established planning principle. In relation to the effects that new hotels could have on town centres, I believe that the vitality and viability of such centres can be reasonably protected through a requirement to undertake a town centre impact assessment where necessary, as set out in my recommended modifications to Policy 1: Town Centres First at Issue 3, and to the Developer Requirements for TS05.

38. Overall, no adjustments are required to the Modified Proposed Plan.

<u>TS01 East of Juniper Drive</u>

39. TS01 is situated on the southern edge of Thurso on the western side of the River Thurso between Ormlie Road (B874) and the railway line, immediately to the east of housing, North Highland College UHI and Thurso High School. This irregularly shaped, long site extends to around 4.8 hectares, and comprises mainly fields sloping down towards the east and the railway. Its allocation as a housing site in the Plan is largely a continuation of housing allocations identified in the adopted local plan. The site contributes to meeting the housing land requirement in the Plan, and to providing a choice of housing sites in the town, which is the principal market, service and social centre for west and central Caithness, and an area reaching into North Sutherland.

40. I note the support outlined in 4 representations for this allocation. Thurso Bay Trading Company is concerned that there will be no short to medium term benefit from this allocation, unlike TS04 and TS14 (see Issues 11 and 12). It is not necessary to consider the implications of TS14 (Land West of Caravan Park) for the allocation of TS01 because the former is not included as a proposal in the Modified Proposed Plan, and it is not recommended for inclusion at Issue 12. As TS01 is within the settlement boundary, relates well to existing development, and would be a continuation of an existing residential area, I consider that it would be a suitable housing allocation. I consider that TS01 complements rather than competes with TS04. TS04 is a much larger strategic mixed use allocation, which is much more complex to bring forward for development, requiring major investment

and infrastructure. TS01 is smaller, has fewer issues to be addressed, and could be developed in the shorter term. Both allocations are important elements of the housing land supply, providing flexibility and variety. In the circumstances, I consider that TS01 should be retained as a housing allocation.

41. Overall, no adjustments are required to the Plan.

TS02 Site at Mount Pleasant

42. TS02 is situated on the eastern edge of Thurso, immediately to the south of the A836 and the east of the housing at Dunnet Road. The site is essentially rectangular in shape, extends to around 5.6 hectares, and has been largely built out. Its allocation as a housing site in the Plan is a continuation of housing allocations identified in the adopted local plan. The site contributes to meeting the housing land requirement in the Plan, and to providing a choice of housing sites in the town, which is the principal market, service and social centre for west and central Caithness, and an area reaching into North Sutherland.

43. I note the support for this allocation. A few representations are concerned that the allocation does not cover the much larger area at Mount Pleasant outlined in the Main Issues Report (MIR). I note that the area identified in the MIR is large and would amount to a strategic expansion of Thurso. It is identified as a non-preferred site in the MIR. I have considered the preferred direction for the strategic expansion of the town above, and have concluded that it should be to the west at this time, rather than in any other direction, including to the east. The western expansion of Thurso is predominantly focussed on TS04 (Thurso West), and I have dealt with this allocation in more detail at Issue 11. In the circumstances, I do not consider that TS02 should be extended to include the much larger area identified in the MIR.

44. Overall, no adjustments are required to the Plan.

TS03 West of Upper Burnside

45. TS03 is situated on the western edge of Thurso, to the west of the housing at Burnside, immediately to the north of the A836, and opposite Thurso Business Park to the south. The site is essentially triangular in shape, extends to around 8.3 hectares, and comprises fields sloping gently southwards. The site is identified as a Long Term Housing opportunity in the Plan, and falls mainly outwith the settlement boundary, in countryside, in the adopted local plan. It is not a housing allocation in the Plan, and the site is not contributing to the housing land requirement.

46. As a long term site, the Plan explains that TS03 is showing no more than the likely preferred direction of growth for Thurso beyond the Plan period, and indicates that such sites are not being invited for development at this time. Moreover, the planning authority expects allocated sites to be developed before any long term sites are considered. It will further assess the long term sites when considering if they should be brought forward at future reviews of the Plan.

47. In essence, the representations support the development of this site, and request its inclusion in the Plan as a housing allocation. If developed, the site would form part of the western strategic expansion of Thurso, which is mainly focussed on TS04 (Thurso West). TS03 is not included as an allocation in the adopted local plan, but it is identified as a preferred site in the Main Issues Report (MIR). I believe that, in time, it could be a suitable

residential allocation because it has the potential to be a natural extension of the existing housing area. I note that the Thurso Charrette identified land at this location for development.

48. Nevertheless, I have found at Issue 03, that there is no pressing need to identify further housing allocations at this time, and I am satisfied that the Plan provides a choice of allocations for housing, or including housing, in Thurso. Furthermore, I note that TS03 lies to the north of TS04, on the opposite side of the A836. In the interests of the area's proper planning, and to facilitate the delivery of the proposed important local distributor/link road, I believe that development should be focussed in the first instance, on TS04, the largest element of the strategic expansion.

49. I note that the map of Thurso in the Plan shows 2 indicative road lines, one to the west of TS03 and one to the east. These lines are optional routes for a distributor/relief road for the strategic expansion. The planning authority explains that the preferred route would be the one to the west of TS03, as shown in the MIR. However, no technical assessment has yet been undertaken. The route shown for the road in the adopted local plan has therefore been retained in the Plan as a possible option. The section of the distributor/relief road by the site would be developed as part of a later phase of the strategic expansion. I conclude at Issue 11 that this is an important piece of strategic transportation infrastructure and that, in the absence of any funding commitment and support from Transport Scotland, it would only be likely to come forward in the long term.

50. The site proposed for allocation and development by John Gunn & Sons Ltd in its representation includes the line of the distributor/relief route to the east of TS03. It also omits the southern and western most parts of TS03. I accept that the MIR does not show the route to the east of TS03. However, it preceded the production of the Plan, and was intended to be a consultation document which did no more than inform the Plan's preparation, having set out the preferred options, the alternative sites and the non-preferred options. I am concerned that allocating the site proposed in the representation, at this stage, would remove a section of one of the possible routes for the distributor/relief road. In order to assist in the controlled and orderly development of the western expansion of Thurso, I believe that there would be some merit in not making a housing allocation here until there is more certainty about this section of the distributor/relief road and its route. This would also have the benefit that the extent of land available for development would then be likely to be clearer.

51. In all the circumstances, and bearing in mind that I am satisfied that TS03 would be a logical direction of growth for Thurso in the future, I consider that it should be retained as a long term opportunity.

52. I see little to be gained from including in the Plan, Scottish Water's general recommendation that developers should make contact at the earliest opportunity to discuss any infrastructure requirements. This is particularly so given that the site is a long term opportunity.

53. Overall, no adjustments are required to the Plan.

<u>TS04 Thurso West</u>

54. This is dealt with at Issue 11.

TS05 Former Mart Site

55. TS05 is situated in an area of mixed uses, immediately to the south of the town centre, on the western side of the River Thurso, between Ormlie Road (B874) and the railway line, and adjacent to the railway station. The site is essentially triangular in shape, extends to around 3.7 hectares, and comprises a vacant area sloping down towards the east and the north. The slope could constrain the site's development. The site is identified for mixed use purposes (housing, business, tourism, leisure, community and retail) in the Plan, and as a potential redevelopment opportunity in the adopted local plan for which a development brief is required. The site contributes to meeting the housing land requirement in the Plan, and to providing a choice of housing sites in the town, which is the principal market, service and social centre for west and central Caithness, and an area reaching into North Sutherland.

56. I note the support for the allocation which is qualified, in a few representations, by a belief that any development should be mixed use and take into account, complement and be sympathetic to its surroundings. One representation from the Co-operative Group is concerned about the proposed retail use of the site. I deal with the concern raised about the lack of town centre health checks at Issue 03.

57. I am aware of 2 retail planning permissions which have been granted on this site. The first was granted in January 2008 on appeal (07/00038/OUTCA [PPA/270/459] and 08/00494/REMCA), and the second was granted at the end of July 2017 (15/4656/FUL) after the commencement of the examination. The planning authority indicates that the former permission is "locked on" because the previous site owner had provided evidence that a "meaningful start" had been made on site. The latter permission expires at the end of July 2020. Both permissions are therefore extant and capable of implementation. I therefore consider it appropriate for the mix of uses for this allocation to include retail. Bearing in mind these 2 permissions and the possibility that future changes may yet be proposed, I agree that the Plan should not require the development to accord with the earlier permission but, instead, should draw attention to the existence of both permissions in the manner set out below.

58. It is clear that planning permission 15/4656/FUL only covers the northern part of the allocation. As the entire allocation is in single ownership (London and Scottish Investments Limited [LSIL]), I am concerned that this will result in a fragmented approach being adopted to the site's development. While I accept that the 2 permissions can be implemented, subject to all the relevant conditions being discharged, I do not accept that either permission has established principles that must be followed when dealing with any future proposals that may come forward for the allocation. Although the details in the 2 permissions would be material considerations, any new proposals would be judged on their merits against the relevant policies in place at the time. The Plan should inform the approach to be taken to dealing with any future development proposals for the allocation.

59. As I consider that the allocation is prominent, reasonably large, and in a sensitive location, I agree with the planning authority that it would be best if a masterplan was prepared to progress any future development proposals. In order to ensure that future proposals appropriately take into account the surroundings and local context (including heritage features), I believe that there is a need to highlight that any proposals should adopt sympathetic streetscape siting, design and street frontage, particularly on the northern part of the site. Bearing in mind the scale of development that could be accommodated on site and the potential for local traffic conflicts, I also believe it

reasonable to highlight the need for a transport assessment and improvements to the access and parking arrangements for the High School and Ormlie Road. All this would properly reflect the increasing emphasis being placed in national guidance on achieving good quality placemaking and design. It also broadly respects the outcome of the Thurso Charette process albeit, for any future proposals, I consider that the arrangement of uses on site could best be achieved through the masterplanning process.

60. Moreover, given that any future development proposals could contain different retail elements from that already approved and/or be affected by changed circumstances, I agree with the planning authority that it is necessary to highlight a possible need for a retail impact assessment.

61. I note the support for a hotel on site, and am satisfied that this would be compatible with the business, tourism and leisure uses which are already allowed. It therefore does not require a specific allocation. Bearing in mind the terms of Policy 1: Town Centre First, the modifications I have recommended at Issue 03, my conclusions above on the Allocation of Land for a Hotel, and the fact that the allocation could accommodate a large hotel facility, I accept that a hotel proposal may justify a town centre impact assessment depending on the specific details of the proposal. For the avoidance of doubt, in coming to this conclusion, I have not take into account the January 2016 representation from the Scottish Government, which was referred to by the planning authority, because the representation was not made to this Plan. Drawing all the matters dealt with above together, I consider that the changes required could all be reasonably accommodated by revising the Developer Requirements for TS05.

62. Overall, adjustments are required to the Plan.

TS06 Former Mill Site at Millbank

63. TS06 is situated in an area of mixed uses, to the east of the town centre, on the eastern side of the River Thurso. The site is essentially irregular in shape, extends to around 0.7 hectares, and comprises a part nineteenth century listed building and a part vacant brownfield site. The listed building interests on site (and adjacent) are protected by a Developer Requirement for the allocation, which requires the fabric and setting of the listed buildings to be respected. The site is identified for mixed use purposes (housing, business, tourism, community and retail) in the Plan, and as a housing redevelopment site with non-residential potential in the adopted local plan. The site contributes to meeting the housing land requirement in the Plan, and to providing a choice of housing sites in the town, which is the principal market, service and social centre for west and central Caithness, and an area reaching into North Sutherland.

64. I note the support for this allocation, particularly for the housing and hotel, subject to qualifications that any development should complement the surroundings. One representation from the Co-operative Group is concerned about the proposed retail use of the site, and another representation is concerned about business use as well as retail. Other representations express concerns about flooding, and the effects of development on the adjacent open space, mill lade and eel trap.

65. TS06 is outwith the town centre, lying on the opposite side of the river. It is within an attractive, riverside setting, and forms part of a complex which includes the listed Old Mill Theatre. The complex is also of historic interest because of its previous foundry use. The planning authority envisages a possible development of small craft/retail units and/or a

small hotel on TS06. Bearing in mind this aspiration, the small size of the allocation, and the heritage and environmental value of this riverside location, I am satisfied that any retail development here would probably be small scale and craft based. In my experience, the type of project that proceeds on such a site often incorporates a retail element. I believe that a retail use here would be unlikely to have any significant implications for the town centre or that it would be at odds with nearby uses. If the planning authority had concerns about any retail proposals coming forward, it could still request the appropriate retail impact and sequential assessments through Policy 1: Town Centres First, and ensure that the town centre's vitality and viability is appropriately protected. In the circumstances, I consider that a retail use can reasonably be included in this allocation.

66. Given the wide range of uses found in the surrounding area, I am satisfied that it would be acceptable to include business as one of the uses for TS06. I am also satisfied that this use would not be at odds with the heritage and environmental interests associated with the location. As the Plan provides a reasonable level of guidance for development proposals, I see no good reason why a scheme which complements the surroundings, should not come forward. I believe that the second and third clauses of the Developer Requirements for TS06 adequately address the risk of flooding at this location and any threat to protected species (such as eels). Moreover, neither the Scottish Environment Protection Agency (SEPA) nor Scottish Natural Heritage (SNH) have objected to TS06 on the grounds of flooding or adverse impact on protected species.

67. Overall, no adjustments are required to the Plan.

TS07 Land at Sir Archibald Road

68. TS07 is situated in an area of mixed uses, to the east of the town centre, on the eastern bank, and at the mouth, of the River Thurso. The site is irregularly shaped and long, extends to around 2.5 hectares, and comprises mainly industrial uses, with some housing at the southern end. The site is identified for mixed use purposes (housing, business and retail) in the Plan, and as a potential residential redevelopment opportunity in the adopted local plan (along with enhancement of the river bank). Its redevelopment may be delayed because of the need to relocate the existing industrial uses. The site contributes to meeting the housing land requirement in the Plan, and to providing a choice of housing sites in the town, which is the principal market, service and social centre for west and central Caithness, and an area reaching into North Sutherland.

69. I note the support for this allocation, subject to qualifications that any development proposals should carefully consider the interests of existing residents. At its southern end, TS07 includes the northern most bungalows running along the eastern side of Sir Archibald Road. As the planning authority has indicated that the houses included within TS07 are not intended for redevelopment, I consider that the interests of the residents of the houses would only be properly safeguarded if they were removed from the allocation.

70. While one representation indicates that housing should be preferred in this location, I can see no reason why a mixed use development, such as that proposed in the Plan, should not contribute to a successful regeneration and enhancement of this unattractive river front site, which is in an important location at the mouth of the river and opposite the town centre. In my experience, mixed use regeneration schemes can be as effective as housing ones in regenerating waterfront areas. In any event, housing could well be the most significant element of any redevelopment scheme proposed here. Two representations contend that the site should be used for a hotel. However, I have

concluded above that the Modified Proposed Plan already makes reasonable provision for the development of new hotel facilities by identifying 2 possible mixed use allocations (TS05 [Former Mart site] and TS06 [Former Mill Site at Millbank) as possible locations. It also appears that neither the landowner nor potential developer have suggested such a use for TS07. Drawing these matters together, and bearing in mind that I am satisfied that the uses proposed for TS07 are broadly consistent with the outcome of the Thurso Charrette, I consider that the mix of uses as proposed in the Plan should be retained.

71. A further representation suggests that footpath provision should be enhanced to provide improved access to the Thurso East surfing area and beyond. The planning authority proposes that a Proposed Path be shown on the Thurso Settlement Map. However, no plan has been lodged to show the possible line and extent of such a path. I agree that the path proposed could help improve the network of paths in this area. I am satisfied that it can be included in the Plan by referring to it in the developer requirement for TS07 relating to the enhancement of active travel, as set out below. I believe that this would provide sufficient clarity for users of the Plan over what is required of TS07.

72. Overall, adjustments are required to the Plan.

TS08 Land at Bridgend

73. TS08 is situated in an area of mixed uses, to the east of the town centre, on the eastern bank of the River Thurso, just to the north of the A9, and is adjacent to a football pitch. The site is long and thin, extends to around 1.3 hectares, and is predominantly industrial in nature. The site is identified for mixed use purposes (housing, business, community and retail) in the Plan, and as a potential residential redevelopment opportunity in the adopted local plan (along with enhancement of the river bank). The site contributes to meeting the housing land requirement in the Plan, and to providing a choice of housing sites in the town, which is the principal market, service and social centre for west and central Caithness, and an area reaching into North Sutherland.

74. I note the support for this allocation. One representation seeks the use of the site as a car park. I am concerned about the appropriateness of such a use on a site which is so prominently located on the river, opposite the town centre. I am also not persuaded that a car park would be compatible with attaining the improvement sought in the area's general appearance. Furthermore, given that the site could accommodate a large facility, generating a significant amount of traffic, I am concerned about the prospects of achieving an acceptable access to the site, and consider that further consultation on this matter is required with the roads authority. In the circumstances, I do not believe that the site should be allocated for car park purposes.

75. While another representation indicates that housing should be preferred in this location, I can see no reason why a mixed use development, such as that proposed in the Plan, should not contribute to a successful regeneration and enhancement of this unattractive river front site, which is in an important location. In my experience, mixed use regeneration schemes can be as effective as housing only ones in regenerating waterfront areas. In any event, housing could well be the most significant element of any redevelopment scheme proposed here. Two representations contend that the site should be used for a hotel. However, I have concluded above that the Modified Proposed Plan already makes reasonable provision for the development of new hotel facilities by identifying 2 possible mixed use allocations (TS05 [Former Mart site] and TS06 [Former Mill Site at Millbank) as possible locations. It also appears that neither the landowner nor

potential developer have suggested such a use for TS08. Drawing these matters together, and bearing in mind that I am satisfied that the uses proposed for TS08 are broadly consistent with the outcome of the Thurso Charrette, I consider that the mix of uses as proposed in the Plan should be retained.

76. Regarding the concerns expressed in representations about flooding and the effects of development on an eel trap, I believe that the second and third clauses of the Developer Requirements for TS08 adequately address the risk of flooding at this location and any threat to protected species (such as eels). Moreover, neither the Scottish Environment Protection Agency (SEPA) nor Scottish Natural Heritage (SNH) have objected to TS08 on the grounds of flooding or adverse impact on protected species.

77. A further representation suggests that footpath provision should be enhanced to provide improved access to the Thurso East surfing area and beyond. The planning authority proposes that a Proposed Path be shown on the Thurso Settlement Map. However, no plan has been lodged to show the possible line and extent of such a path. I agree that the path proposed could help improve the network of paths in this area. I am satisfied that it can be included in the Plan by referring to it in the Developer Requirement for TS08 relating to the enhancement of active travel, as set out below. I believe that this would provide sufficient clarity for users of the Plan over what is required of TS08.

78. Overall, an adjustment is required to the Plan.

TS09 North of Scrabster Community Hall

79. TS09 is situated at the western edge of a small housing area, at the end of St Clair Avenue (a cul-de-sac), to the west of, and sitting above, Scrabster Harbour. The site is rectangular in shape, extends to around 0.9 hectares, and is divided in 2 by a track, with a grassed area (forming part of the adjacent community facility) to the south, and a yard and recently built shed to the north. Coghill Burn passes through the site. Its allocation as a housing site in the Plan is a continuation of a smaller housing allocation (the northern part of the site) in the adopted local plan. The site makes a small contribution towards the housing land requirement in the Plan.

80. I note the support for this housing allocation. The planning authority proposes that the allocation be removed from the Plan because the owner of the northern part has indicated that he has no intention of developing the land for housing. There is no written representation before the examination requesting the deletion of the allocation. While I am sympathetic to the planning authority's request because of the land owner's decision on the site, I am unable to recommend its removal from the Plan because the scope of the examination is limited to dealing with unresolved issues raised in representations.

81. SEPA indicates that the presence of the burn means that the site is at risk of flooding. The council proposes that a requirement for a flood risk assessment be added to the Plan. Given the risk of flooding, and to achieve consistency with the policy principles in SPP which, amongst other things, promote a precautionary approach to flood risk from all sources and flood avoidance, I agree that adding a Developer Requirement for a flood risk assessment would be appropriate, along with a requirement that there should be no development in areas at risk from flooding. While I accept that this allocation is unlikely to be taken forward, the additional requirement would mean that all sites in the Plan considered to be at risk of flooding are dealt with consistently, taking into the recommendations of this report.

82. Overall, an adjustment is required to the Plan.

TS010 North West of Dunbar Hospital

83. TS10 is situated on the southern edge of Thurso, to the west of Ormlie Road, and abutting the rear boundary of Dunbar Hospital. The site is rectangular in shape, extends to around 3.8 hectares, and comprises, in the main, rough, scrubby open ground. The site is identified as a Long Term Mixed Use opportunity in the Plan, and it is reserved for longer term development in the adopted local plan. It is not a housing allocation in the Plan, and the site is not contributing to the housing land requirement.

84. As a long term site, the Plan explains that TS10 is showing no more than the likely preferred direction of growth for Thurso beyond the Plan period, and indicates that such sites are not being invited for development at this time. Moreover, the planning authority expects allocated sites to be developed before any long term sites are considered. It will further assess the long term sites when considering if they should be brought forward at future reviews of the Plan.

85. In essence, several representations support the development of this site, and request its inclusion in the Plan as a housing allocation. If allocated and developed, TS10 would form part of the western strategic expansion of Thurso, which is mainly focussed on Thurso West (TS04). I believe that TS10 could be a suitable residential allocation because it has the potential to be a natural extension of the existing built up area, being within the line of the proposed distributor/relief road, and sharing boundaries with Dunbar Hospital to the east and a housing area and business/retail park to the north.

86. Nevertheless, the adopted local plan, the 2003 Thurso Western Expansion Area Development Brief, and this Plan all treat the site consistently, and envisage it being developed only in the longer term. Indeed, the Thurso Western Expansion Framework Plan in the adopted local plan identifies this site as being phases 9, 10 and 11, with the earlier phases of development all being at Thurso West (TS04). The Main Issues Report (MIR) also classifies TS10 as an alternative for development (housing and business) rather than as a preferred site. Moreover, while the site may be able to come forward in the short term, I have found at Issue 3, that there is no pressing need to identify further housing allocations at this time, and I am satisfied that the Plan provides a choice of allocations for housing, or including housing, in Thurso, such as TS01.

87. I note that TS10 is separated from, and to the south east of, TS04. In the interests of the area's proper planning, and to facilitate the delivery of the proposed important local distributor/link road, I believe that development should be focussed in the first instance, on TS04, the largest element of the strategic expansion. The section of the distributor/relief road by TS10 would be developed as part of a later phase of the strategic expansion. I conclude at Issue 11 that this is an important piece of strategic transportation infrastructure and that, in the absence of any funding commitment and support from Transport Scotland, it would only be likely to come forward in the long term. Both TS10 and the proposed distributor/relief road are therefore similarly long term proposals. Given this, I am not convinced that there is merit in the contention that the site should be allocated in the short term to prevent it becoming unmanageable through the construction of the distributor/relief road and the inappropriate splitting of a field forming part of a working farm.

88. I accept that there is a disparity between the boundaries and sizes of the sites identified at this location in the adopted local plan and this Plan. However, I do not

consider this to be a critical issue for a site identified as a long term opportunity. I believe that the matter can best be resolved once there is more information available and certainty about the section of the distributor/relief road adjacent to TS10, and its route, because the extent of the land available for development would then be likely to be clearer. This is also the time at which the mix of uses for the site, or single use such as housing, would be determined. Any requirement to provide bus stops in association with TS10 is a detailed matter which only needs to be considered once the site is allocated for development.

89. I do not share Thurso Bay Trading Company's concerns about the inclusion of TS10 in the Plan. Its comment that there will be no short to medium term benefit from developing this site is misplaced because TS10 is only identified as a long term opportunity. Any benefit arising from its development would therefore, by definition, not occur in the short to medium term, only in the longer term. I am satisfied that it would be a logical direction of growth for Thurso in the future. Drawing all the above elements together, I consider that TS10 should be retained in the Plan as a long term mixed use opportunity.

90. Overall, no adjustment is required to the Plan.

TS11 Viewfirth Park

91. TS11 is situated in a residential area in Thurso, to the north of Castlegreen Road, west of Sweyn Road, and east of Duncan Street. The site is essentially rectangular in shape, extends to around 2.5 hectares, and comprises, in the main, a grassed open space area, with the northern most section appearing to be in control of the Nuclear Decommissioning Authority. The site is identified for Community purposes in the Plan. In the adopted local plan, the southern part of the site is identified for Special Uses of a community, service or tourist related nature. It also highlights that the northern part was the subject of a feasibility study by Sportscotland for the location of a Regional Sports Centre (along with one other location).

92. I note the 2 representations of qualified support. The remaining representations all object to TS11. There is further public support for sports facilities at this location expressed in the responses to the planning authority's Additional Sites and Ideas Consultation between March and April 2015. This includes support from sports clubs.

93. The objections mainly focus on a proposal put forward by Thurso Community Sports Hub (TCSH) for an indoor sports facility and running track. This appears to be a more modest proposal than the one based on a 6 lane running track, whose feasibility was questioned in a 2013 report by Highland Council Housing and Property Services (Thurso High School Review of Sports Facilities). It is also possible that further proposals for sports or other facilities at this location may yet emerge. If the proposal by TCSH is progressed it will, in due course, be the subject of a planning application which, in the first instance, would be determined by the planning authority. I consider that the most appropriate time to assess the merits of a particular proposal for TS11 would be at the development management stage, following the submission of a planning application, rather than at this examination.

94. This examination is concerned with the allocation of the site for Community Purposes. Community is defined in the Glossary of the Plan as Class 10 Non-residential institutions (from the 1997 Town and Country Planning [Uses Classes][Scotland] Order), and it may also include other public facilities (such as sports pitches). I accept that this would cover

TCSH's current proposal, and that this would mean that, if the allocation is retained in the Plan, it would help the proposal. However, the allocation would also cover a wider range of uses than this proposal, including potentially less intensive sporting related uses, and facilities visited by the public for a wide range of purposes (for example, libraries, churches and schools). Any assessment of the allocation must take this wider range of uses into account.

95. The planning authority explains that TS11 is an established sports and recreational site, and the representations confirm that the site is already used by Caithness Shinty Club and the scouts. The site is of a reasonable size, and it is in a central and accessible location. Community type uses can also often be found in, or adjacent to, and satisfactorily co-existing with, residential areas. Furthermore, they are frequently seen as valuable local public resources. Given these factors, I am satisfied that a Community use (including sports related uses) would be an appropriate allocation for the site. I note that such an allocation is broadly a continuation of the type of uses or development expected on the site in the adopted local plan, and that Sportscotland has not lodged a representation to the Plan against a sporting facility (even though it commented on the Additional Sites and Ideas Consultation).

96. Nonetheless, I acknowledge that Community uses, including more formal sports facilities, could result in a more intensive use of TS11, potentially giving rise to the type of concerns highlighted in the representations, such as noise and lighting pollution, adverse visual impact, the adverse effects of significant levels of traffic and parking, and overdevelopment of the site. This could result in unacceptably adverse effects on residential and visual amenity, and on traffic and parking levels, all in an area which is predominantly residential in nature, with housing close to, and overlooking, the site. I consider these to be important considerations in the assessment of any proposals coming forward. The planning authority acknowledges that they are constraints to be taken into account in any assessment, and I accept that the Developer Requirements for TS11 reasonably deal with transport considerations by requiring a transport assessment to be prepared (focussing on the local network), and access arrangements and parking to be addressed.

97. I acknowledge that any proposals would be assessed against the policies in the Highland-wide Local Development Plan (HwLDP) (such as Policy 28: Sustainable Design, and Policy 29: Design Quality and Place-making) and that these, in broad terms, deal with residential and visual amenity, and overdevelopment of a site. However, these are general policies and, in this instance, to ensure that developers and other users of the Plan are properly informed about important considerations specific to TS11, I consider that the Developer Requirements should highlight the need for careful siting and design of any proposed development to safeguard residential and visual amenity, and avoid overdevelopment of the site, as set out below. Additionally, they should deal with the operational phase of any use by requiring proposals to show the general measures to be taken to avoid unacceptable effects on the surrounding residential area. I do not consider that such an approach could be regarded as overly prescriptive.

98. I have considered all the other matters raised in representations, including the suggestions that part of the site should be allocated for affordable housing, but find none that the outweigh the considerations on which my conclusions are based.

99. Overall, adjustments are required to the Plan.

TS12 East of Burnside

100. This is dealt with at Issue 12.

TS13 Thurso Harbour

101. TS13 is situated at the mouth of the River Thurso, on its eastern bank, at the north eastern edge of the town centre. It is essentially triangular in shape, extends to around 1.6 hectares, and is an underused area comprising an open parking area, grassed areas, shops and a café. The site is allocated for Community (recreation facilities) in the Plan, and the Placemaking Priorities support the regeneration and redevelopment of the Thurso Harbour area for tourism and recreational uses, including new high quality water sports facilities. I note the support for this allocation, particularly because it will help promote surfing. While this support is qualified by a request for better signage and car parking, I note that these matters are already dealt with in the Development Requirements for the allocation.

102. A flood risk assessment is included in the Plan's Developer Requirements for this site. SEPA considers that this requirement, and the exclusion of development from areas at risk of flooding, would be likely to result in no development taking place on TS13. To overcome this, SEPA recommends that the wording of the Developer Requirement be changed to allow low vulnerability or operationally essential uses in the areas at risk of flooding. The planning authority accepts the proposed change. I believe that the revised wording proposed would allow the development potential of the site to be realised, and it would help to clarify the specific nature of the restrictions in this harbour location. It also better reflects the terms of the flood risk framework set out in Scottish Planning Policy (SPP), which adopts a precautionary approach to flood risk from all sources. I therefore agree that the Developer Requirement in the Plan should be revised, as set out below.

103. Overall, an adjustment is required to the Plan.

TS14 Land West of Caravan Park

104. This is dealt with at Issue 12.

TS15 Scrabster Harbour

105. TS15 is situated in the northern part of Scrabster, on Thurso Bay. It is rectangular in shape, extends to around 28.1 hectares, and essentially comprises the harbour area. The site is allocated for Industry in the Plan, and I have recommended, in response to a representation from the Scrabster Harbour Trust, that the Placemaking Priorities for Thurso be changed to refer to the expansion of Scrabster Harbour. The adopted local plan also promotes the development of the harbour. I note the support for this allocation.

106. The North Caithness Cliffs Special Protection Area (SPA) and the River Thurso Special Area of Conservation (SAC) are close to TS15. Scottish Natural Heritage (SNH) request that the allocation's Developer Requirements be changed to refer specifically to the SPA rather than the more general term of Natura site. It also requests that a developer requirement be added to take account of the potential effect that development on this allocation could have on the SAC. The planning authority accepts both changes. In order to ensure that development has no adverse effect on the integrity of these internationally important designations, that the level of protection applied to them is in line with Scottish

Planning Policy (SPP), and that the Plan is broadly consistent in its approach to these designations, I agree that the changes proposed to the Developer Requirements for TS15, as set out below, would be appropriate.

107. A flood risk assessment is included in the Plan's Developer Requirements for this site. SEPA considers that this requirement, and the exclusion of development from areas at risk of flooding, would be likely to result in no development taking place on TS15. To overcome this, SEPA recommends that the wording of the Developer Requirement be changed to allow low vulnerability or operationally essential uses in the areas at risk of flooding. The planning authority accepts the proposed change. I believe that the revised wording proposed would allow the development potential of the site to be realised, and it would help to clarify the specific nature of the restrictions in this harbour location. It also better reflects the terms of the flood risk framework set out in SPP, which adopts a precautionary approach to flood risk from all sources. I therefore agree that the developer requirement in the Plan should be revised, as set out below.

108. Overall, adjustments are required to the Plan.

TS16 Land at Scrabster Mains Farm

109. I note the support for this Industry allocation in the Plan. In themselves, the representations raise no matters which require further consideration at this examination.

TS17 North West of Thurso Business Park

110. TS17 is situated on the northern side of the A836, on the southern edge of Scrabster and the western edge of Thurso, immediately to the north west of Thurso Business Park. It is irregular in shape, extends to around 20.5 hectares, and comprises fields. The site is identified as a Long Term Industry opportunity in the Plan, and falls outwith the settlement boundary, in countryside, in the adopted local plan.

111. As a long term site, the Plan explains that TS17 is showing no more than the likely preferred direction of growth for Thurso beyond the Plan period, and indicates that such sites are not being invited for development at this time. Moreover, the planning authority expects allocated sites to be developed before any long term sites are considered. It will further assess the long term sites when considering if they should be brought forward at future reviews of the Plan.

112. I note the support for this Long Term Industry opportunity. Other representations seek its removal from the Plan, its development for leisure and business purposes, or its allocation for industry.

113. I accept that TS17 currently comprises farmland and that, at present, it is separated from the built up area. However, it is on the western edge of the area identified for Thurso's strategic western expansion, and its identification as a Long Term Industry opportunity reinforces the Plan's vision of developing a strong, diverse and sustainable economy. Moreover, TS17 is adjacent to the Scrabster Renewable Energy Enterprise Area, is close to Scrabster Harbour and Thurso Business Park, and was identified as a possible expansion area for the renewables industry at the Thurso Charrette.

114. Given the amount of industrial land allocated locally, I do not believe that now is the time to change TS17's designation from Long Term Industry opportunity to Industry

allocation. The need for its allocation for Industry can be assessed at future Plan reviews. I can also find no justification for allocating the site for either business or leisure purposes. In any event, I note that business uses would not be precluded by an Industry designation because Industry is defined in the Glossary of the Plan as including Class 4 Business uses (as well as Class 5 General Industrial and Class 6 Storage and Distribution uses, all from the 1997 Town and Country Planning [Uses Classes][Scotland] Order). Drawing all these elements together, I believe that the site should be retained as a Long Term Industry opportunity.

115. Overall, no adjustment is required to the Plan.

Reporter's recommendations:

I recommend that the following modifications be made:

Reference to Scrabster Harbour Expansion Plans

1. Under the Thurso section of the Caithness Settlements, page 35, adjust the first bullet of the Placemaking Priorities to read:

"Support the expansion of Scrabster Harbour, development of the Enterprise Area, and extension of the Business Park to attract energy related opportunities which will create new employment opportunities…"

TS05 Former Mart Site

2. Under the Thurso section of the Caithness Settlements, page 37, delete the Developer Requirements for TS05 and replace them with a new set of Developer Requirements to read:

"**Developer Requirements:** Planning permissions 07/00038/OUTCA [PPA/270/459] and 08/00494/REMCA), and 15/4656/FUL (expires 31 July 2020) are live; Planning applications are to be accompanied by a developer led masterplan; High quality siting and design, including sympathetic streetscape siting and design and street frontage, particularly on the northern part of the allocation, all to reflect the prominent location, the immediate surroundings, and the proximity to heritage features; Transport Assessment; Improvements to the current access and parking arrangements associated with the High School and Ormlie Road; Active travel route to be established along the east side of Ormlie Road and through the site from Janet Street as part of Safer Routes to Schools; Retail Impact Assessment and/or Town Centre Impact Assessment for a hotel may be required.

TS07 Land at Sir Archibald Road

3. Under the Thurso section of the Caithness Settlements, page 41, adjust the boundaries of TS07 on the Settlement Map by removing the existing houses from the allocation, and adjust the figure for the Area (ha) of the allocation, page 38, accordingly.

4. Under the Thurso section of the Caithness Settlements, page 38, adjust the third clause of the Developer Requirements for TS07 to read:

"…Enhance active travel connections through the site, including providing a footpath to help connect footpath provision along the coast;…"

TS08 Land at Bridgend

5. Under the Thurso section of the Caithness Settlements, page 38, adjust the fourth clause of the Developer Requirements for TS08 to read:

"…Enhance active travel connections, including providing a footpath to help connect footpath provision along the coast;…"

TS09 North of Scrabster Community Hall

6. Under the Thurso section of the Caithness Settlements, page 38, add the following new clause to the Developer Requirements for TS09:

"…Flood Risk Assessment (no development in areas shown to be at risk of flooding)."

TS11 Viewfirth Park

7. Under the Thurso section of the Caithness Settlements, page 39, add the following new clauses to the Developer Requirements for TS11 to read:

"…Careful siting and design of development to safeguard residential and visual amenity, and avoid overdevelopment of the site; Development proposals to show the general measures to be taken in the operation of the facility to avoid unacceptable effects on the surrounding residential area."

TS13 Thurso Harbour

8. Under the Thurso section of the Caithness Settlements, page 39, delete the Developer Requirement for TS13 relating to flood risk (2nd clause) and replace it with a new requirement to read:

"…Flood Risk Assessment required to inform layout and design. Only low vulnerability uses or operationally essential uses in areas shown to be at risk of flooding, to be accompanied by resilience measures;..."

TS15 Scrabster Harbour

9. Under the Thurso section of the Caithness Settlements, page 39, delete the Developer Requirement for TS15 relating to the Natura site (last clause) and replace it with a new requirement to read:

"…Development proposals must demonstrate that there would be no adverse effect on the integrity of the North Caithness Cliffs Special Protection Area;…"

10. Under the Thurso section of the Caithness Settlements, page 39, add the following new clause to the Developer Requirements for TS15 to read:

"…Development proposals must demonstrate that there would be no adverse effect on the integrity of the River Thurso Special Area of Conservation through, for example (but not limited to), noise and vibration caused by major construction activities, such as piling."

11. Under the Thurso section of the Caithness Settlements, page 39, delete the

Developer Requirement for TS15 relating to flood risk (1st clause) and replace it with a new requirement to read:

"…Flood Risk Assessment required to inform layout and design. Only low vulnerability uses or operationally essential uses in areas shown to be at risk of flooding, to be accompanied by resilience measures;..."

Issue 11	**Thurso Site TS04**	
Development plan reference:	Thurso - TS04 Thurso West page 37	**Reporter:** Dilwyn Thomas

Body or person(s) submitting a representation raising the issue (including reference number):

Proposed Plan

Agnes MacDonald (980230)
Alan Loomes (980235)
Alan Ritchie (980220)
Alastair Chisholm Christie (980596)
Amanda Gunn (980290)
Amanda Robertson (983266)
Amelia Walker (931321)
Andrew Bremner (980248)
Andrew Fraser (983996)
Anthony Ridgley (979975)
Carol Murray (983145)
Carol Paterson (979637)
Caroline Steven (980245)
Cartwright (979956)
Cecilia Brands (979454)
Colin Paterson (979739)
Cynthia Calder (980214)
Danny Calder (983991)
David Doohan (980228)
David Lord (1069719)
Dean Craig (980100)
Don Mackay (979822)
Donald Mackay (981995)
Donna Flowerday (979953)
Eilidh Paterson (980233)
Elizabeth Mackay (983255)
Emma Budge (980201)
Emma Gunn (979970)
Euan Sinclair (980244)
Fiona Doohan (980015)
Fiona Mackie (978748)
Gary Angus (980227)
Gary Parker (968625)
Gayle Rennie (980274)
Grant Maxwell (979898)
Hamish Robertson (979473)
Ian Walker (979716)
Isabel Kay (983245)
Jacqueline Ridgley (930800)
Jamie Henderson (980168)
Jamie Mackay (980254)
Jane Foster (980307)

Modified Proposed Plan

Aaron Taylor (MPP1032694)
Abbey Sutherland (MPP1033845)
Abbie Wilson (MPP1032650)
Alison Henderson (MPP1033471)
Alison MacAdie (MPP1034158)
Amanda Gunn (MPP980290)
Amanda Robertson (MPP1034460)
Amelia Walker (MPP931321)
Andrew Adamson (MPP1033812)
Angus Mackay (MPP1034300)
Anthony Ridgley (MPP979975)
Brian Johnston (MPP1033820)
Carol Paterson (MPP979637)
Cartwright (MPP979956)
Catherine Murray (MPP1033682)
Catherine Stewart (MPP1034231)
Charles Henderson (MPP1033480)
Colin Paterson (MPP979739)
Danny Doohan (MPP929481)
Derek Taylor (MPP980213)
Diana Johnston (MPP1034710)
Don Mackay (MPP1032343)
Donald Mackay (MPP981995)
Eilidh Paterson (MPP980233)
Eilidh Sinclair Wright (MPP1032760)
Elizabeth Lawson (MPP1034442)
Elizabeth Mackay (MPP1034732)
Ellie Spencer (MPP1034530)
Fiona McLean (MPP1034721)
Fraser Steven (MPP1033806)
Gary Parker (MPP968625)
Georgina Mackenzie (MPP1034374)
Graeme Reid (MPP1032386)
Hamilton (MPP1032492)
Hannah Johnston (MPP1034463)
Helen Robbie (MPP1032179)
Herbert Lawson (MPP1034148)
Iain Elder (MPP1032459)
Ian Cannop (MPP1032993)
Ian Westmorland (MPP1031981)
Jacqueline Ridgley (MPP930800)
Jade Baikie (MPP1033831)

Jane Telfer (979224)	James Henderson (Jnr) (MPP1033475)
Janetta Christie (975843)	James Henderson (MPP1033472)
Jason Ridgley (980223)	Jan Mackay (MPP1032499)
Jean Alexander (981921)	Jason Ridgley (MPP980223)
John and Helen Barkham (981629)	Jeremy Evans (MPP1031927)
John Faulds (983248)	John Faulds (MPP983248)
Karen McLean (979677)	John Hart (MPP1031794)
Karen Risbridger (980206)	John McGeachie (MPP1034749)
Katelin Mackenzie (979954)	Karen Henderson (MPP1034643)
Kathleen Faulds (983151)	Kathleen Faulds (MPP983151)
Kenneth Nicol (977530)	Keith Morrell (MPP1034784)
Kirsten Murray (979696)	Kenneth Nicol (MPP977530)
Lee MacDougall (980312)	Kerrie Martin (MPP1034602)
Lee Parnell (979688)	Kerry Oag (MPP1033483)
Lindsay Kay (983250)	Louise Smith-Dasar (MPP981718)
Linsey MacDougall (980035)	Lyndall Leet (MPP983272)
Louise Smith-Dasar (981718)	Lynne Reid (MPP1034346)
Lyndall Leet (983272)	Margaret Smedley (MPP930596)
Margaret Smedley (930596)	Martin Ross (MPP1033522)
Michael Bowden (980202)	Mary Paterson (MPP1034694)
Michelle Fraser (979884)	Megan Williamson (MPP1034717)
Nick Russel (979216)	Megan Wilson (MPP1032832)
Pennyland House B&B (971783)	Michael Cowie (MPP1032425)
Phyllis Nicol (980599)	Michelle Will (MPP1034160)
Rebecca Paterson (979904)	Monika Carson (MPP1033507)
Robert Falconer (980046)	Nicky Cowie (MPP1034161)
Ronald Paterson (979807)	Nicola Arthur (MPP1034246)
Scottish Government (963027)	Pennyland House B&B (MPP971783)
Scottish Water (953627)	Phyllis Nicol (MPP980599)
Sean Miller (980259)	Rebecca Paterson (MPP979904)
SEPA (906306)	Reece Smith (MPP1032849)
Sheena Mclachlan (960835)	Robert Falconer (MPP980046)
Sheila Finlayson (979790)	Ryan Cameron (MPP1034708)
SNH (909933)	Samantha Angus (MPP1034517)
St Clair Hotel (980003)	Sandra Isabelle Harris (MPP1034546)
Stephen Anderson (983269)	Sean Miller (MPP1033482)
Stephen Beckitt (980229)	Sharon Smith (MPP1034572)
Steven Grant (980189)	St Clair Hotel (MPP980003)
Stuart Andrew (980221)	Steven MacDonald (MPP1032713)
Stuart Liddle (980236)	Steven Reid (MPP1032948)
Stuart Vines (967328)	Tanya Sutherland (MPP979994)
Tanya Sutherland (979994)	The Pentland Hotel (MPP979985)
The Pentland Hotel (979985)	Thomas Watters (MPP1034436)
Thurso Bay Trading Co (980395)	Thurso Bay Trading Co. (MPP980395)
Timothy Ridgley (979979)	Timothy Ridgley (MPP979979)
Tom Jackson (981229)	Valerie Moseley (MPP1031843)
Tulloch Homes Ltd (979063)	William James Stewart (MPP1034252)
Walter Mclachlan (979427)	William Steven (MPP1033802)
William Marshall (941627)	William Walker (MPP979718)
William Walker (979718)	Yasemin Turanli (MPP1033545)
Willie Steven (980239)	

Provision of the development plan to which the issue relates:	Thurso West distributor/relief road and TS04 ** Please note that this part of the Proposed Plan was subject to non notifiable modifications including the removal of reference to sites TS12 and TS14 from the site table TS04 and correcting the Indicative Housing Capacity figure for TS04 from 180 to 200.*

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

Representation to the Proposed Plan (January 2016)

The Pentland Hotel (979985), Ian Walker (979716), Amelia Walker (931321), Donald Mackay (981995), Elizabeth Mackay (983255) - The main company employed to draw up the MIR and facilitate the Charrettes on behalf of the council is then the company subsequently employed by the landowner at area TS14 to draw up the plans and proposals for the Hotel on this site - is this a conflict of interest.

Thurso West distributor/relief road

Scottish Government (963027) - Objects to Thurso - Settlement Statement Text and Map. The Settlement Statement Map for Thurso includes indicative lines for potential routes and road connections with the A9 trunk road. However, there is no information on the appraisal and rationale for the new links and neither are there details on funding, phasing or delivery provided in the Plan. The Plan and accompanying Action Programme do not give a clear understanding of what is required to provide access to the new development areas, what is being suggested to alleviate the issues highlighted in the town centre or what steps will be taken to better understand the options. The indication of potential routes and the policy protecting land at this early stage of considering options are therefore considered to be premature and does not accord with SPP paragraphs 274/275. Modifications Sought: Transport Scotland advises that the need for any alternative routes around Thurso connecting with the trunk road should be established through a robust appraisal exercise. This position was previously stated in response to the Main Issues Report consultation. This type of appraisal would assess all modes of travel as part of an objective led approach. The identification of transport interventions should result from the assessment of evidence based transport problems and opportunities of a specific area. A range of transport alternatives should be considered and not focussed on a particular solution.

Stuart Liddle (980236) - The provision of a bypass route to Scrabster is laudable, but should not impinge upon the existing built up areas of the town, as this would only move potential areas of congestion and HGV traffic to closer proximity to schools, hospital and college.

John and Helen Barkham (981629) - Objects to the inclusion of the Thurso West Distributor/Relief Road because it is not needed. During the construction and operation of Dounreay and Vulcan the road network has coped and the decommissioning of Dounreay has resulted in and will continue to see a decrease in traffic through the town. Harbour related traffic would not use a bypass. A bypass has the potential to remove vital tourist footfall from the town centre. The topography of the proposed bypass from Provost Cormack Drive is unsuitable as it will create a blind summit, close to existing junctions, which faces due south into the midday sun.

Jane Telfer (979224) - The proposed distributor road should be situated west of its designated route to avoid crossing through the community woodland as marked on the

plan due to health and safety issues and expected high traffic levels. The proposed site access road runs past the Ormlie Community Playpark, and this will impact on the safety of children, especially if the proposed distribution road is not implemented. Since the purpose of the bypass is to remove traffic from the centre of the town, where is the forward thinking in proposing a bypass that encircles the town on two of its available sides, severely restricting any further expansion of the town. This would lead to there being a further need for a new bypass when this current new bypass has become absorbed into the town. Finally as the bypass requires a new bridge to be built over the river the fact that access to the A9 can be achieved without the need for a bridge, this would appear to be an extravagance in a time of austerity.

Alastair Chisholm Christie (980596), Janetta Christie (975843) - Para 114, A by-pass has been promised for years. It should now be a priority as the roads in town can no longer cope with the heavy traffic passing regularly through the town.

Kenneth Nicol (977530), Jacqueline Ridgley (930800) - Para 114 states that there is opportunity for a relief road to be created. However this is misleading as the Council is not in a financial position to deliver it.

TS04 Thurso West

Gary Parker (968625), William Marshall (941627), Hamish Robertson (979473), Lee Parnell (979688), Colin Paterson (979739), Sheila Finlayson (979790), Jane Telfer (979224), Kenneth Nicol (977530), Jacqueline Ridgley (930800), Timothy Ridgley (979979), Anthony Ridgley (979975), The Pentland Hotel (979985), Tanya Sutherland (979994), Walter Mclachlan (979427), William Walker (979718), Ian Walker (979716), Linsey MacDougall (980035), David Doohan (980228), Stuart Andrew (980221), Gary Angus (980227), Alan Loomes (980235), Amelia Walker (931321), Gayle Rennie (980274), Lee MacDougall (980312), Jane Foster (980307), Agnes Macdonald (980230), Margaret Smedley (930596), Stuart Vines (967328), St Clair Hotel (980003), Stephen Beckitt (980229), David Lord (1069719), Jason Ridgley (980223), Janetta Christie (975843), Cecilia Brands (979454), Karen McLean (979677), Kirsten Murray (979696), Sheena Mclachlan (960835), Michelle Fraser (979884), Donna Flowerday (979953), Michael Bowden (980202), Robert Falconer (980046), Stuart Liddle (980236), Phyllis Nicol (980599), Tom Jackson (981229), John and Helen Barkham (981629), Louise Smith-Dasar (981718), Jean Alexander (981921), Donald Mackay (981995), Carol Murray (983145), Kathleen Faulds (983151), Isabel Kay (983245), John Faulds (983248), Lindsay Kay (983250), Elizabeth Mackay (983255), Amanda Robertson (983266), Stephen Anderson (983269), Lyndall Leet (983272), Cynthia Calder (980214), Danny Calder (983991), Andrew Fraser (983996), Fiona Doohan (980015) - Objects to the inclusion of TS04 for one or more of the following reasons:

Housing

- Since the plan for the western expansion of Thurso was first put forward in the 1990s the case for such proposals has weakened significantly including the economic arguments, demographic projections and infrastructure requirements.
- There is no demand for the level of housing development being allocated for. The HNDA shows that housing demand in Caithness and Sutherland is at a negligible level. There is also very little demand for affordable/ council houses in Thurso and the waiting list for them is very short. There are already a large number of empty and vacant houses available. Many houses stay on the market for long periods of

time. House prices are already some of the lowest in the Highlands, approximately 60% of similar houses in Inverness.

- Demographic changes show that there is no need for further major housing development in Thurso. The latest census shows there has been a declining and ageing population in Thurso (4% decline between 1991 and 2011 and a 0.9% fall between 2001 and 2011 which is the 3rd highest rate of decline in Highland). Young people are moving away from the area and the school roll is declining (the High School roll declined 18% since 2009/10 and it is expected to decline a further 14% by 2020). The Council's Ward Information identifies that there is a low supply of new housing being built in Thurso and the overall supply is adequate. With the expected demographic changes this is likely to remain the same.
- All the new housing required could be accommodated on brownfield sites or on housing sites TS01, TS02 or TS03 instead of TS04.
- The allocation of housing land west of Pennyland House and a commercial allocation east of the business park would leave a gap site which would provide opportunity for complete discretion by the developer.
- Questions the reasons for reducing the number of houses located on land between High Ormlie and the Business Park by 50% but that a new allocation is identified for 20 houses to the west of Pennyland House.
- Housing development west of Pennyland House would not be viable after the necessary investment in services.
- The previous planning permission for 400 houses has expired which shows there is no real demand for more housing. Council figures show that there were only 170 houses built in Thurso between 2006 and 2010. The housing figures show that the majority of new housing is in Landward Caithness meaning people are choosing/wishing to live in the countryside, not in the main towns. Based on the Council's report from Feb 2014 only 95 houses are needed in Thurso. These could be located in other, more suitable sites than the proposed allocations alongside the A9 at Pennyland.

<u>Economic Issues</u>

- The economy is expected to decline due to the decommissioning of Dounreay and Vulcan facilities which will see the loss of hundreds of jobs. Marine renewables is put forward as driving growth in Caithness in the future but there has been a lack of progress in the industry. All the tidal companies have gone out of business or withdrawn their interest in the area. Marine renewables will not be a labour intensive industry and will provide little new employment opportunities. Any new employment opportunities from the marine renewables sector will be focused on Wick. With the dramatic fall in oil prices the oil and gas industry is shrinking.
- Another filling station is not needed in the town. There are already 3 in Thurso including one on the NC500 route. Another filling station would not be financially viable and would likely force one of the existing ones out of business. Two of the town's filling stations were recently for sale with the one at Pennyland being on the market for a very long period before it was bought by Lidl and cleared as part of their store expansion.
- A large proportion of the previous filling station customers were going to and from the harbour and therefore the siting of the proposed filling station would be against the flow of traffic. This would create unnecessary traffic issues, particularly during peak traffic times from Dounreay/Vulcan and ferry arrivals. The proposed location of the filling station would result in a higher risk of hydrocarbon pollution in the soil.
- A vacant site sits opposite TS04, next to the Weigh Inn, which was the location of

the former garage. This site should be redeveloped instead of a greenfield site adjoining it being developed. A better location for an additional filling station would be on the A9 on the east of the river (assumed).

- Commercial development should be focused on existing business parks or the identified Enterprise Area at Scrabster.
- There are already too many built up housing developments in Thurso which have resulted in the emergence of particular social problems. Development of TS04 would have adverse social impacts for the town.
- Without regeneration of the town centre it would result in a doughnut effect, with activity around the periphery and nothing in the middle.
- The existing Caithness Local Plan (2002) currently provides opportunity for commercial development related to the renovation of the B-Listed steading.

Planning history

- There have been strong objections to developing the site for almost two decades. Previous Public Local Inquiries of 1994, 2001 (as part of the preparation of the Caithness Local Plan) and 2007 have concluded that the area should be protected as openspace as development would diminish the amenity and character of the area. It is highlighted that one Inquiry Reporter concluded that "*Available land and a willing owner does not justify development through either local plan use allocation or the granting of planning permission*."

Environmental and Heritage Issues

- The sense of openness of the area and the green spaces are important to the setting of the town. The area adds character to the north west of Thurso and the approach into the town and through to the centre. It will create an overdeveloped feel which will destroy what makes the place attract people who want to relocate to the area. The entry point into the town from the west will become increasingly important given its position on the NC500 route. Thurso needs to retain its openspaces to make the town attractive. The land could be opened up for amenity and recreational based tourism purposes, e.g. footpaths and cycle tracks. The land is green belt and must be protected. There will be no open spaces left in Thurso.
- The ground between Pennyland and Burnside is prime agricultural land and as such should be protected from adhoc development.
- The current Amenity allocation must be preserved. The current local plan states that the Council will explore the availability of funding to develop open land to the north of Pennyland Farm as a public park and playing fields.
- It will result in the coalescence between Burnside and Thurso. A reason being provided for joining Burnside to Thurso is that there is a lack of amenities in Burnside. However, on close inspection of the new CaSPlan, it would actually appear that there are no plans to build any new amenities once the two areas are joined.
- The areas shown as Expansion of the Green Network would not stand up to the harsh weather conditions. The best land use for practical maintenance is agricultural/grazing. There is no detail on who is to provide and maintain the openspace proposed on TS04, particularly around the A9 and A836.
- The moors contain a wide range of flora and fauna, many of which are endangered species. Since grazing on the moors has stopped a natural woodland is beginning to be established. The moors provide an easily accessible outdoor and recreational asset to the town.

- Reference to positive environmental and recreational features at Wolf Burn are not clear and the expansion of greenspace on the map appears to be placed away from the burn.
- The site is highly exposed and is not suitable for housing as it is on a north west slope facing the prevailing winds from the north coast.
- The moorland at High Ormlie is an important tourism and recreational asset as it has uninterrupted views across the Pentland Firth and out towards Sutherland.
- The ground conditions north of Provost Cormack Drive have been deemed unsuitable for development so the Plan should indicate what additional works would be required by a developer to ensure development is structurally secure. Land at High Ormlie contains a number of underground natural springs which would increase problems of any construction undertaken as well as contribute to increased localised flooding and exacerbate drainage issues for existing householders in High Ormlie. Drainage – Rainfall water flows down the moors towards the houses at Pennyland. Development of TS04 could make this worse.
- There is at least one archaeologically significant site which could provide a potential heritage/tourism attraction.
- The housing site west of Pennyland House is not suitable for modern house building given it adjoins the B-Listed steading and house (which the landowner has allowed the steading to significantly deteriorate and has now become an eyesore). Proposed development would adversely impact the cultural heritage of the area, including the B-Listed Pennyland House and commemorative plaque to Sir William Alexander Smith.
- Development west of Rockwell Crescent would cause a reduction in light to the existing neighbouring houses.
- One respondent requests that if development was to go ahead then there should be at least a 30 metre setback from properties at Pennyland Estate and housing should be restricted to single storeys.

Infrastructure

- Access to the proposed houses west of Pennyland House would cause major traffic problems involving Pennyland School, Castlegreen Road, Pennyland Drive and Forss Road. There are no suitable access points via Castlegreen Road as only one very narrow passage exists, next to the houses for the elderly, which is not wide enough nor acceptable given its adjoining use. It is also very close to both the junction to the A9 and the junction into Lidl. As a result it would add significantly to congestion in the area.
- The proposed access from Forss Road is currently too narrow with no option to widen it. The entrance into Forss Road is used by residents to park their cars and further development off it would result in major safety issues. Pennyland Drive is also a narrow, congested road and there are existing traffic issues due to the proximity to the primary school. Previous proposals on the site have shown that Forss Road is too narrow for access.
- Proposed access from Pennyland Drive would result in the loss of an important playpark.

Other issues raised:

- Modernising the town should focus on redeveloping vacant buildings and brownfield sites. All new development should be restricted to suitable brownfield sites.

- The Town Centre First Policy directs all new housing and commercial development towards the town centre, not on the outskirts.
- One of reasons for purchasing the house was open views over Thurso Bay.
- There is enough justification for the land at Pennyland to be given Special Landscape Areas status.

Other concerns raised:

- If this draft CaSPlan goes through, the development of houses and a hotel will be given outline planning permission. This rules out the local community being able to object in the future before the development begins.
- Questions the reasons for developer requirements referring to TS01, TS02 and TS03 which does not appear to make sense.
- The indicative capacity identifies 180 houses but the Developer Requirements show 180 at High Ormlie and another 20 west of Pennyland House.

Fiona Mackie (978748), Nick Russel (979216), Carol Paterson (979637), Colin Paterson (979739), Don Mackay (979822), Rebecca Paterson (979904), Katelin Mackenzie (979954), Cartwright (979956), Dean Craig (980100), Jamie Henderson (980168), Steven Grant (980189), Pennyland House B&B (971783), Grant Maxwell (979898), Karen Risbridger (980206), Alan Ritchie (980220), Eilidh Paterson (980233), Willie Steven (980239), Jamie Mackay (980254), Sean Miller (980259), Caroline Steven (980245), Andrew Bremner (980248), Amanda Gunn (980290), Ronald Paterson (979807), Emma Gunn (979970), Euan Sinclair (980244), Emma Budge (980201) - Supports the inclusion of TS04 for one or more of the following reasons:

- There is a need for quality new housing in Thurso. More choice is needed in the housing market.
- There is growing demand for commercial space at the business park due to the success of the existing businesses. Development of TS04 will increase capacity for the future growth of the business park and stimulate the local economy.
- It provides a natural expansion of the town's existing residential and business areas.
- It will provide a stimulus to the rest of the town, including its retail profile.
- Supportive of the return of a petrol station at Thurso West.
- A mix of land uses would form a good approach to the town.
- The area is within walking distance of the town centre and its amenities.
- The planned enhancement of Ormlie moors and creation of a community woodland would be very useful recreational areas.
- There are few existing amenities within walking distance for residents of Gills and Burnside and it would give them a greater sense of community. It would provide better connections between Thurso and Scrabster.

Tulloch Homes Ltd (979063) - Tulloch Homes Ltd are joint owners of a major portion of the Thurso west site and confirm their intention to participate in the future master planning of the area and the development of same. Tulloch Homes note that the south west boundary of the site to include phase VIII per the Thurso Western Expansion Framework Plan (page 65 of the current adopted Caithness Local Plan) appears to have been amended providing a lesser extent of development land although from discussions with the Council's planning officials understand the line to be indicative and the boundaries and uses will be borne out through a proper master planned approach. With regards indicative housing and business

capacities along with locations of uses the plans comments should not be overly prescriptive as the quality and suitability of the design solution for the site is a more appropriate determining factor.

Thurso Bay Trading Co (980395) - The landowner states that the points raised in his submission to the MIR are still relevant. These focused on: Thurso Charrette providing a good basis for CaSPlan; community debate on and general support of the sites over recent years; mix of housing, commercial and greenspaces providing a long term strategy for the town; and commercial interest in the proposals.

The energy and positivity taken from the Charrette, with the input from John Thompson & Partners, was a breath of fresh air. This vision, which the town contributed to, was carried forward to the MIR and now the planning officials' recommendations. Landowner agrees wholeheartedly with the ambition and holistic approach adopted through the Charrette process, especially as it was run by an independent team that had no prior involvement or interest in the planning of the area. Planning at a local level should be inclusive and set like this in the future, as was the case at the Thurso and Wick Charrettes. This was a positive step forward in Scottish planning policy.

Supportive of the general vision for Thurso as it will transform Thurso into a sustainable, ecologically friendly area, where outside space is as important as inside space, an area to be enjoyed by residents and visitors alike.

Landowner provides following reasons in support of TS04 and TS14:

- Development in this western part of Thurso will help make the town a more diverse, exciting, healthy and great place to live and work.
- Sensibly scaled and well connected mixed-use development will serve existing residents and those who will settle here in the future.
- The landowner has commissioned John Thompson & Partners to prepare a first phase masterplan to be submitted during the summer of 2016.
- The proposed hotel and leisure facility and park, would go a long way to reversing the isolation and lack of amenity that is evident in these communities - adding new places for people to meet and enjoy indoor and outdoor activities – and hopefully strengthening the sense of local community in the process.

Objects to Retail and Hotel not being included as allocated uses of TS04.

SEPA (906306) - Add the following developer requirement "The Wolf Burn should be protected by a 25 m development exclusion buffer. Note that discharges to this watercourse are unlikely to be acceptable."

SNH (909933) - The "Developer Requirements" text for the TS04 allocation is confusing as it refers to TS01 – TS03, but not TS04. If the text should be referring only to the allocation TS04, then the developer requirements reference to the River Thurso SAC and SSSI can be removed. This is due to the distance and lack of connectivity to the SAC/SSSI, meaning it is extremely unlikely that there would be impacts on either protected area.

Scottish Water (953627) - Scottish Water ask that should the Council become aware of the potential non-domestic usages upon these mixed-use sites, that Scottish Water Development Planning be made aware to augment our Growth Modelling activities and to inform our investment programme where applicable. Again, any site with a contaminated

land designation will require a similar report prior to any connection to the water supply being approved.

Representation to the Modified Proposed Plan (September 2016)

TS04 - Thurso West

Thurso Bay Trading Co (MPP980395) - The landowner of TS04 objects to the Long Term status of specified housing sites within the allocation. The Plan needs to be flexible, responsive to market conditions and should encourage development in all economic circumstances, in accordance with SPP. If the 'long term' references continue to be used, we have concerns that this would hinder developer interest in the TS04 site. This is an unnecessary burden on the site.

Jeremy Evans (MPP1031927), Ian Westmorland (MPP1031981), Helen Robbie (MPP1032179), Don Mackay (MPP1032343), Graeme Reid (MPP1032386), Eilidh Paterson (MPP980233), Michael Cowie (MPP1032425), Iain Elder (MPP1032459), Valerie Moseley (MPP1031843), Abbie Wilson (MPP1032650), Carol Paterson (MPP979637), Aaron Taylor (MPP1032694), Eilidh Sinclair Wright (MPP1032760), Megan Wilson (MPP1032832), Reece Smith (MPP1032849), Ian Cannop (MPP1032993), Hamilton (MPP1032492), Steven Reid (MPP1032948), Alison Henderson (MPP1033471), James Henderson (MPP1033472), Monika Carson (MPP1033507), Colin Paterson (MPP979739), Yasemin Turanli (MPP1033545), Andrew Adamson (MPP1033812), Jan Mackay (MPP1032499), Sean Miller (MPP1033482), Abbey Sutherland (MPP1033845), Kerry Oag (MPP1033483), Martin Ross (MPP1033522), Amanda Gunn (MPP1033818), Jade Baikie (MPP1033831), Samantha Angus (MPP1034517), James Henderson (jnr) (MPP1033475), Charles Henderson (MPP1033480), Cartwright (MPP979956), John Hart (MPP1031794), Fraser Steven (MPP1033806), Michelle Will (MPP1034160), Nicky Cowie (MPP1034161), Karen Henderson (MPP1034643), Mary Paterson (MPP1034694), Thomas Watters (MPP1034436), Derek Taylor (MPP980213), Ryan Cameron (MPP1034708), Megan Williamson (MPP1034717), Sharon Smith (MPP1034572), Fiona McLean (MPP1034721), Pennyland House B&B (MPP971783), Ellie Spencer (MPP1034530), John McGeachie (MPP1034749), William Steven (MPP1033802), Carol Paterson (MPP979637), Colin Paterson (MPP979739), Lynne Reid (MPP1034346), Kerrie Martin (MPP1034602), Sandra Isabelle Harris (MPP1034546), Nicola Arthur (MPP1034246), Rebecca Paterson (MPP979904), Eilidh Paterson (MPP980233) - These representors are broadly supportive of the principle of development at TS04. However, they object to the Long Term status of site TS04 and would like to see it being allocated for development within the Plan period, with some requesting that the area should be allocated for Retail, Business, Sport Centre and Housing. The reasons provided included:

- The Plan should be flexible and open for potential development opportunities. The allocation must be adaptable as future development opportunities in Thurso for business, tourism, housing, retail or other development are unknown at present.
- It is a logical place and direction for growth of the town.
- There is increasing demand for such land uses with both the growth of the food and drink industry and promotion of the area's rich cultural heritage, e.g. Caithness Broch Project.
- Retail development is needed in Thurso as there isn't enough choice; many people travel to Wick for shopping.
- New housing would be attractive to young people as the current stock is not suitable.

- It will help to support the growth of the local economy, creating new employment opportunities and boosting the construction industry,
- The long term status will only result in the neighbours which overlook the site attempting to block development proposals in the future.
- Development would be in keeping with the Charrette outcomes. Green networks should be formed through the site as part the masterplan which was envisaged at the Thurso Charrette.

Gary Parker (MPP968625), Steven MacDonald (MPP1032713), Margaret Smedley (MPP930596), Danny Doohan (MPP929481), Brian Johnston (MPP1033820), Catherine Murray (MPP1033682), Kathleen Faulds (MPP983151), Alison MacAdie (MPP1034158), Kenneth Nicol (MPP977530), Timothy Ridgley (MPP979979), Jacqueline Ridgley (MPP930800), Jason Ridgley (MPP980223), Anthony Ridgley (MPP979975), Catherine Stewart (MPP1034231), Angus Mackay (MPP1034300), William Walker (MPP979718), Elizabeth Lawson (MPP1034442), Hannah Johnston (MPP1034463), Louise Smith-Dasar (MPP981718), John Faulds (MPP983248), St Clair Hotel (MPP980003), Amanda Robertson, (MPP1034460), Robert Falconer (MPP980046), Elizabeth Mackay (MPP1034732), Keith Morrell (MPP1034784), Amelia Walker (MPP931321), Tanya Sutherland (MPP979994), The Pentland Hotel (MPP979958), Lyndall Leet (MPP983272), Phyllis Nicol (MPP980599), Herbert Lawson (MPP1034148), Donald Mackay (MPP981995), Georgina Mackenzie (1034374), William James Stewart (MPP1034252), Diana Johnston (MPP1034710) - Representors are opposed to development of the section of TS04 west of Pennyland House and/or TS04 as a whole for one or more of the following reasons:

Economy

- The National Review of Town Centres recommended that Council's should support development in the centres before considering developments elsewhere. This includes working with housing providers to bring empty properties back into use as affordable housing.
- New housing or commercial development should be restricted to brown field sites which could be redeveloped. There are numerous empty properties and redundant brownfield sites (e.g. the Thurso Mart and Bridgend) in the Thurso town centre area which could be developed.
- The priority should be on developing other sites first. Other sites would have a significantly less impact on the landscape. The focus should be on smaller sympathetic development which is more in tune with the wishes of the community rather than a developer driven scheme.
- The development of the wave and tidal renewables industry is slower than originally anticipated. Scottish Government has set up a task force for the wave industry but there is unlikely to be any major developments in this sector before 2020 and limited, if any development, in the Caithness area. Any development is likely to be directed to Wick rather than Thurso.
- Even if all the jobs were replaced from Dounreay, and Vulcan there is unlikely to be a need for major housing demand or major commercial (office) accommodation.
- The length of time that units in the Business Park have lain empty, and the availability of ground at Janetstown which has not been built on, is testament to the fact that no big businesses are coming here in the near future
- There is no requirement for a fourth filling station in Thurso. One filling station was for sale for a long time and was not sold as a going concern. It would result in the closure of at least one of the three existing filling stations. Another filling station

would result in higher fuel prices. Given the topography of the area, a petrol station will create a high risk of hydrocarbon pollution in the soil.

Environment

- It will create another built up area resulting in a loss of the sense of openness. This would damage the first impression for those entering the town from the east. Development would destroy the beautiful western approaches.
- The land has been shown to be some of the best arable land in Caithness.
- The land should be safeguarded for recreational use rather than retail, housing or hotel.
- The current Amenity allocation as shown in the Caithness Local Plan must be preserved. The local plan states that the Council will explore the availability of funding to develop open land to the north of Pennyland Farm as a public park and playing fields.
- The moorland is well used amenity/recreational area enjoyed by runners, walkers, children, dog walkers. The area is of natural beauty with a variety of wild flora and fauna. The area could be a permanent green belt and a wildlife reserve. The area could be safeguarded for much needed walking area for the community and as a tourist facility.
- The original recreational plans were not implemented due to a lack of finances yet there are no details about who is going to maintain the proposed green network/corridors.
- The aim of creating green network areas from the sea through Pennyland to the moorland at High Ormlie and out past the golf course contradict the allocations which encourage development of the area.
- The area currently helps to protect houses from the weather coming in from the north.
- Holiday makers often feedback that the approach into Thurso via the Mount Vernon estate is not particularly pleasant so it would be good to keep the other approach more open.
- Questions the reason why there is no planning law or regulation which protect the panoramic views. Requests that the coastline at Thurso should be given the same protected status as that from Durness eastwards. Safeguard the areas as a Special Landscape Area.
- Local resident states that if any development is to take place, given the close proximity to the houses at Forss Road, Brim Road, Hoy Terrace, Rockwell Terrace and Rockwell Crescent as a minimum there should be at least a 30 metre amenity/open space corridor alongside the current field boundary (similar to the requirement alongside the A836) and housing restricted to bungalows.

Planning issues

- There have been 3/4 public inquiries in respect to this land. In all the reports different Reporters state in similar words that the character and amenity of this part of Thurso and of the general western approaches to the town will be diminished by any development. They all reached the same conclusion and the circumstances have not changed. These endorsements undoubtedly should be a major consideration. The Council assert that these are new developments but they are the same proposals in the same place.
- Stating what should go where is tantamount to bypassing the Outline planning

application stage. This should not be allowed. A site's inclusion in the Local Development Plan is 'better than outline planning permission' as it remains the Council's position for the duration of the adopted plan. People cannot then object to the principle of the development but only comment on the detail.

- The Council amalgamated TS04 into a single large allocation. This is too large and should be split between land west of Pennyland House and the area between Ormlie and the Business Park (as per the Caithness Local Plan).
- Concerns that leaving it to "future plan reviews [to] confirm the mix of development across the site" could result with a miscellany of buildings of various sizes.
- There should be no coalescence of Thurso and Burnside. The requirement for services was never a consideration when the current local plan was approved in 2002, and there nothing in the CaSPlan for the inclusion of services, so why all of a sudden has this become a problem and they now need to be joined.
- Questions how can there be "appropriate mitigation to minimise the visual impact" when any building on this green field site would absolutely desecrate one of the most iconic views in the North of Scotland especially when approaching from the West.
- A third option should have been presented to Councillors at Committee for the removal of the 20 house allocation and land for the filling station.
- The Caithness Local Plan (2002) allocated land for a hotel to the West of Pennyland House. The landowner has confirmed he will not build it on that site. Therefore the site should be removed from the Plan. All the sites at Thurso West which were in the Local Plan are still available.
- The landowner of TS12/14 also owns Pennyland House which was the birth place of Sir William Alexander Smith, founder of the Boy's Brigade, and all the buildings on the site are B Listed. Despite continued assurances from the landowner that it would essential building maintenance would be carried out nothing has happened and they are now in a very poor state of disrepair. How can the requirement by the developer to have "sensitive siting and design due to the proximity of the Listed Building" for these 20 houses be relied upon?
- It is claimed that in 2005 the landowner and his partner, Tulloch Homes, instigated the move of ASDA from the Mart Site to Pennyland but the application was rejected by a Government Reporter. This resulted in Thurso losing out on a new supermarket which the community wanted.
- Council planners appear to have backed Pennyland as a key growth area while unjustly eliminated others.

Community/Demographics

- Demographic changes show that there is no need for further major housing development in Thurso. The Council have already stated that there is an over provision of housing in Thurso. The latest census shows there has been a declining and ageing population in Thurso (4% decline between 1991 and 2011 and a 0.9% fall between 2001 and 2011 which is the 3rd highest rate of decline in Highland). Young people are moving away from the area and the school roll is declining (the High School roll declined 18% since 2009/10 and it is expected to decline a further 14% by 2020). The HNDA shows there is no short-medium term demand. The Council's Ward Information identifies that there is a low supply of new housing being built in Thurso and the overall supply is adequate. With the expected demographic changes this is likely to remain the same.
- No need for the volume of houses proposed. The decommissioning of Dounreay and NRTE will lead to a decline in population and in turn a surplus of available

housing. The HNDA shows there is no short-medium term demand.

- The previous planning permission for 400 houses has expired which shows there is no real demand for more housing. The Council have also reduced the housing figure from 400 to 200 in the Plan which indicates the lack of demand. Council figures show that there were only 170 houses built in Thurso between 2006 and 2010. The housing figures show that the majority of new housing is in Landward Caithness meaning people are choosing/wishing to live in the countryside, not in the main towns. Based upon the Director of Planning & Developments 2014 Report, if the Council required 530 houses to be built, then based upon past history 67% will be required in the landward areas. Probably only 95 will be required in the Thurso area. These could be located in other, more suitable sites than the proposed allocations alongside the A9 at Pennyland.

Infrastructure

- Access to the proposed houses west of Pennyland House would cause major traffic problems involving Pennyland School, Castlegreen Road, Pennyland Drive and Forss Road. There are no suitable access points via Castlegreen Road as only one very narrow passage exists which is not wide enough nor acceptable given its adjoining use. It is also very close to both the junction to the A9 and the junction into Lidl. As a result it would add significantly to congestion in the area.
- During 2015 an area of land adjacent to Pennyland House was used as a turning area for long loads coming out of Scrabster Harbour and heading West. Any development in this area will restrict the business operation of Scrabster and industrial development to the West of the area.
- The proposed "site access" road from Burnside through the proposed housing/mixed development site will spoil the enjoyment of the area and result in a bottleneck at the junction between Provost Cormack Drive and Ormlie Road, which is used by a pedestrians including many children. Traffic would also have to double back through the town or divert through Halkirk.
- New housing development should be accessed off the proposed relief road.

Modifications sought by those submitting representations:

Modifications sought at Proposed Plan stage

Thurso West distributor/relief road

Scottish Government (963027), John and Helen Barkham (981629) - Removal of the indicative lines shown in the Thurso Settlement Plan and the settlement text for potential routes and road connection with the A9 trunk road.

Jane Telfer (979224) - The proposed distributor road should be situated west of its designated route to avoid crossing through the community woodland as marked on the plan.

TS04 Thurso West

Gary Parker (968625), William Marshall (941627), Hamish Robertson (979473), Lee Parnell (979688), Colin Paterson (979739), Sheila Finlayson (979790), Jane Telfer (979224), Kenneth Nicol (977530), Jacqueline Ridgley (930800), Timothy Ridgley (979979), Anthony Ridgley (979975), The Pentland Hotel (979985), Tanya Sutherland

(979994), Tanya Sutherland (979994), Walter Mclachlan (979427), William Walker (979718), Ian Walker (979716), Linsey MacDougall (980035), David Doohan (980228), Stuart Andrew (980221), Gary Angus (980227), Alan Loomes (980235), Amelia Walker (931321), Gayle Rennie (980274), Lee MacDougall (980312), Jane Foster (980307), Agnes Macdonald (980230), Margaret Smedley (930596), Stuart Vines (967328), St Clair Hotel (980003), Stephen Beckitt (980229), David Lord (1069719), Jason Ridgley (980223), Janetta Christie (975843), Cecilia Brands (979454), Karen McLean (979677), Kirsten Murray (979696), Sheena Mclachlan (960835), Michelle Fraser (979884), Donna Flowerday (979953), Michael Bowden (980202), Robert Falconer (980046), Stuart Liddle (980236), Phyllis Nicol (980599), Tom Jackson (981229), John and Helen Barkham (981629), Louise Smith-Dasar (981718), Jean Alexander (981921), Donald Mackay (981995), Carol Murray (983145), Kathleen Faulds (983151), Isabel Kay (983245), John Faulds (983248), Lindsay Kay (983250), Elizabeth Mackay (983255), Amanda Robertson (983266), Stephen Anderson (983269), Lyndall Leet (983272), Cynthia Calder (980214), Danny Calder (983991), Andrew Fraser (983996), Fiona Doohan (980015) - Respondents sought one or more of the following modifications to the Plan:

- Removal of the allocation for 20 houses west of Pennyland House
- Removal of the allocation for a filling station

Some respondents want the complete removal of the Mixed Use allocation TS04.

Thurso Bay Trading Co (980395) - Add Retail/Leisure to the list of uses in TS04.

SEPA (906306) - Add the following developer requirement: “The Wolf Burn should be protected by a 25 m development exclusion buffer. Note that discharges to this watercourse are unlikely to be acceptable.”

SNH (909933) - Amend the Developer Requirements text for the TS04 allocation with regards to reference to sites TS01 – TS03. If the text should be referring only to the allocation TS04, then the developer requirements reference to the River Thurso SAC and SSSI can be removed.

Scottish Water (953627) - Any site with a contaminated land designation will require a similar report prior to any connection to the water supply being approved.

<u>Modifications sought at Modified Proposed Plan stage</u>

<u>TS04 Thurso West</u>

Jeremy Evans (MPP1031927), Ian Westmorland (MPP1031981), Helen Robbie (MPP1032179), Don Mackay (MPP1032343), Graeme Reid (MPP1032386), Eilidh Paterson (MPP980233), Michael Cowie (MPP1032425), Iain Elder (MPP1032459), Valerie Moseley (MPP1031843), Abbie Wilson (MPP1032650), Carol Paterson (MPP979637), Mr Aaron Taylor (MPP1032694), Eilidh Sinclair Wright (MPP1032760), Megan Wilson (MPP1032832), Reece Smith (MPP1032849), Ian Cannop (MPP1032993), Hamilton (MPP1032492), Steven Reid (MPP1032948), Alison Henderson (MPP1033471), James Henderson (MPP1033472), Monika Carson (MPP1033507), Colin Paterson (MPP979739), Yasemin Turanli (MPP1033545), Andrew Adamson (MPP1033812), Jan Mackay (MPP1032499), Sean Miller (MPP1033482), Abbey Sutherland (MPP1033845), Kerry Oag (MPP1033483), Martin Ross (MPP1033522), Amanda Gunn (MPP1033818), Jade Baikie (MPP1033831), Samantha Angus (MPP1034517), James Henderson (jnr) (MPP1033475),

Charles Henderson (MPP1033480), Cartwright (MPP979956), John Hart (MPP1031794), Fraser Steven (MPP1033806), Michelle Will (MPP1034160), Nicky Cowie (MPP1034161), Karen Henderson (MPP1034643), Mary Paterson (MPP1034694), Thomas Watters (MPP1034436), Derek Taylor (MPP980213), Ryan Cameron (MPP1034708), Megan Williamson (MPP1034717), Sharon Smith (MPP1034572), Fiona McLean (MPP1034721), Pennyland House B&B (MPP971783), Ellie Spencer (MPP1034530), John McGeachie (MPP1034749), William Steven (MPP1033802), Carol Paterson (MPP979637), Colin Paterson (MPP979739), Lynne Reid (MPP1034346), Kerrie Martin (MPP1034602), Sandra Isabelle Harris (MPP1034546), Nicola Arthur (MPP1034246), Rebecca Paterson (MPP979904), Eilidh Paterson (MPP980233) - Expand the range of uses allocated within Mixed Use site TS04 Thurso West to include Retail and allocate Long Term sites for development within the Plan period.

Gary Parker (MPP968625), Steven MacDonald (MPP1032713), Margaret Smedley (MPP930596), Danny Doohan (MPP929481), Brian Johnston (MPP1033820), Catherine Murray (MPP1033682), Kathleen Faulds (MPP983151), Alison MacAdie (MPP1034158), Kenneth Nicol (MPP977530), Timothy Ridgley (MPP979979), Jacqueline Ridgley (MPP930800), Jason Ridgley (MPP980223), Anthony Ridgley (MPP979975), Catherine Stewart (MPP1034231), Angus Mackay (MPP1034300), William Walker (MPP979718), Elizabeth Lawson (MPP1034442), Hannah Johnston (MPP1034463), Louise Smith-Dasar (MPP981718), John Faulds (MPP983248), St Clair Hotel (MPP980003), Amanda Robertson (MPP1034460), Robert Falconer (MPP980046), Elizabeth Mackay (MPP1034732), Keith Morrell (MPP1034784), Amelia Walker (MPP931321), Tanya Sutherland (MPP979994), The Pentland Hotel (MPP979958), Lyndall Leet (MPP983272), Phyllis Nicol (MPP980599), Herbert Lawson (MPP1034148), Donald Mackay (MPP981995), Georgina Mackenzie (1034374), William James Stewart (MPP1034252), Diana Johnston (MPP1034710) - Remove the section of TS04 which is west of Pennyland House and/or remove the whole of TS04 from the Plan.

Summary of responses (including reasons) by planning authority:

Planning Authority's consideration of representations on the Proposed Plan in August 2016

Conflict of Interest

The Council followed all the correct procedures and do not accept that there has been any conflict of interest. The Council applied to the Scottish Government's Charrette Mainstreaming Programme in 2012 to carry out whole town charrettes for Wick and Thurso. It was intended that the charrettes would support and inform the Main Issues Report (MIR) (CD04) and be a key element in the preparation of the Local Development Plan.

The consultant team was selected by a mini-competition to work with the Scottish Government and the local project delivery team at The Highland Council to provide the expertise and organisation required to facilitate and deliver the charrettes in line with pre agreed timetables and the programme outputs. As part of the tendering process the Scottish Government acted as Contract Manager for the Council to establish the most suitable consultant team for the project, and following an interview John Thomson & Partners were appointed.

After the Wick and Thurso Charrettes had concluded a private landowner in Thurso

subsequently approached John Thomson & Partners to carry out consultancy work. John Thomson & Partners then contacted the Council to check if there were any issues. We established at that stage that there was no conflict of interest as there was no ongoing or outstanding work to be carried out in regard to the charrette nor was there any anticipation that JTP would be commissioned to carry out any further work on this matter for the Council. As a private sector consultancy, JTP was available to anyone that wished to employ their services.

Thurso West distributor/relief road

Support for the Thurso West distributor/relief road is noted.

With advice from the Council's Transport Planning Team, it is established that there is a clear rationale for the inclusion of the distributor/relief road in the local development plan:

- One of the main constraints within Thurso is the reliance on a single road crossing of the River Thurso. This leads to congestion problems during particular situations.
- It would help relieve traffic congestion in the town centre. The A9 Trunk Road runs through the centre of the town. However the town centre is not suitable for HGVs or transporting large haulage items due to the narrow roads and sharp corners. Traffic is regularly forced to stop or roads closed when large vehicles move through the town centre.
- The traffic congestion and HGV movement is likely to increase due to the expansion of commercial activities at Scrabster Harbour and at the Enterprise Area at Scrabster Mains Farm which the Scottish Government is actively promoting in the National Planning Framework 3 (CD02). The expansion of the marine renewables industry and increase in business from the oil and gas industry in the area will also put greater pressures on local roads.
- Developments such as that proposed at Pennyland and Scrabster may require further access points off the A9 trunk road and other proposed development will increase traffic onto the A9 via existing junctions. Together these will contribute to traffic congestion moving through the town on the trunk road.
- The creation of a distributor road is required to open up housing and employment allocations in the west of Thurso. Although these are some of the most suitable expansion sites many have been held back due to the need for investment in transport infrastructure. It is important that the road is designed to be potentially upgraded to relief road status and sufficient land is safeguarded.
- Identifying potential routes for strategic improvements will help to ensure that they are safeguarded from development which may impact on the feasibility of its delivery in the future. The bypass route identified in the Caithness Local Plan (2002) (CD17) was challenged in the past. A Public Local Inquiry was carried out in 1995 which concluded that the route should be preserved and confirmed the western edge of the housing estate at Upper Burnside.

The potential relief road route was a topic of discussion during the charrette. A general consensus was reached that the preferred route should continue (as per the Caithness Local Plan (CD17)) to connect with the B784 immediately south of Dunbar Hospital but pass on the west of the Business Park rather than the gap to the east (i.e. as per the Caithness Local Plan and Thurso Western Expansion Area Development Brief (CD23)). However given that no technical assessment has been prepared to identify the suitability of the route the line shown in the existing Development Plan has also been shown to ensure it remains as an option. Developers of TS04 will be required to deliver the early

phases of the distributor road which will service the western expansion areas and help to connect up several areas in Thurso West. Sections of the distributor road should be designed to be able to be readily upgraded to provide additional capacity.
In relation to the connections with the A9, Transport Scotland highlighted that SPP states that spatial strategies should be deliverable. Although it is recognised by the Council that there is no commitment by the organisations who may deliver such strategic transport improvements this position is also widely understood by other stakeholders. Despite this there is a strong desire by the Council and the local community (shown during the charrette and in response to the MIR (CD04)) for the routes to be shown in the Plan, and to address transport issues highlighted above.

The Council's Transport Planning Team note that the Caithness Local Plan (CD17) indicated that ultimately the western distributor road could connect to the A9 via a new river bridge to the south of the town. The construction of the bridge would inevitably be dependent on the availability of public funding. The construction of a new bridge would provide an alternative access from the A9 to the development areas to the west avoiding the town centre and would also provide an alternative route for traffic heading to/from the harbour at Scrabster or places to the west such as Dounreay. The road would therefore act as a 'relief road' removing traffic from the town centre, rather than a 'bypass'.

It was also noted that CaSPlan shows a major area of proposed development at Pennyland, to the west of Thurso. While some of the eastern parts of this area could be accessed from existing residential streets this will not be possible for areas to the west. Additionally Business allocations in the western part of the site will require additional access. A road network will therefore be required from the existing A836 into the site and this could form the basis of the type of western distributor envisaged in the Local Plan (CD17).

The Transport Planning Team concluded that the approach set out in the Local Plan (CD17) adopted in 2002 is reasonable. It allows the provision of a western distributor road to serve the development areas to the west funded by the developers and in the longer term can form the basis of a new river crossing and connection over the railway line to the A9 to the south. This will inevitably require public funding but when completed will provide an alternative route to the town centre for heavy traffic. In the meantime it is recommended that land is not being allocated on the route or. The connection to complete the route to Scrabster will require safeguarding of route options each side of the long term housing site as shown in the Plan.

If the route is not included within the Development Plan then there is no framework in place for protecting land for a potential relief/distributor road in the future. The result of this could be hugely detrimental to the future growth and sustainability of the area, especially considering the expectations at both regional and national levels for the expansion of the offshore renewables sector.

In view of the comments seeking removal of the indicative distributor/relief road from the Plan, for the reasons set out above we do not consider this modification to be necessary. However, if the Reporter agrees then the Council would be content with removing the section east of the B784 (Ormlie Road) which connects with the A9. This would remove the relief road/bypass element of the road with only the distributer connection remaining and be potentially deliverable without funding from Transport Scotland. As a result this would also remove any conflict with SPP (CD01) paragraphs 274 and 275. Whilst such an approach would not necessarily prevent future consideration of linkage to the A9, it may

reduce expectation for such a connection and may make it more difficult to maintain options for such future connections.

Resulting from discussions with SNH regarding the HRA (CD09) the following mitigation was identified for inclusion in paragraph 112: “Development proposals which involve crossing River Thurso must demonstrate that there would be no adverse effect on the integrity of the River Thurso SAC through submission of a satisfactory Construction Environmental Management Plan (including pollution prevention)” As the HRA requires to be signed off by SNH for the Plan to be adopted, the Council is content for this mitigation to be added to the Plan. This will be subject to the Reporter being minded to maintain the reference to the extension of the road east of the B784 (Ormlie Road) which connects with the A9 (as noted in the paragraph above).

TS04 Thurso West

The allocation of sites TS04, TS12 and TS14 was the most controversial component during the plan consultation. It is recognised that valid points both for and against development were raised during the consultation. The full responses to each of the issues raised, including the recommended position on any modifications which were sought to the Plan, are set out below and grouped under headings relating to the issues raised. Whilst taking account of the issues raised in relation to TS04 the recommended position was to retain the site as is set out in the Proposed Plan. However, to ensure that a clear agreement was reached by Committee on the preferred outcome several options for sites TS04, TS12 and TS14 were presented to Committee in August 2016 (see Issue 12 Thurso TS12 and TS14).

The comments made in support of the inclusion of TS04 are noted, including: support for the charrette process in providing a vision for the area; provision for more business space adjoining the Business Park; and, the enhancement of amenity greenspaces and entrances into the town.

Housing

In respect to the range of issues raised in regard to housing supply and demand please see Issue 3 Growing Communities under the Housing Land Supply section. This sets out the reasons why we consider there to be need for the amount of housing land identified in the Plan.

Housing site west of Pennyland House

The area between the housing site west of Pennyland House and the commercial allocation east of the Business Park is identified as a Long Term Mixed Use site within the Developer Requirements. As explained at paragraph 23 in the Plan sites identified as "Long Term" indicate the likely preferred direction for growth beyond the plan period. The suitability of these sites for development has been subject to consideration through the preparation of this Plan. However, they are not being phased for development within this Plan period and allocated sites are expected to be developed before any long term sites can be considered. During future reviews of the Plan the Council will consider bringing forward any of those sites as allocations (subject to further assessment and identification of developer requirements) or remain as long term sites.

Concerns over the effectiveness of the Housing allocation on land west of Pennyland

House appear unjustified as the SEA site assessment did not show any major constraints which would be limiting factors to development. If over time the site proves to be ineffective then the site's inclusion in the Plan can be reconsidered at future Plan reviews.

Indicative Housing Capacity Figure

In relation to comments on the indicative housing capacity for TS04, the figure reflects the strategic nature of the site and the extent of infrastructure needed to open up the site that will be delivered within the plan period. The areas identified as Long Term Housing sites are dependant on the allocated sites being developed beforehand. Consequently the indicative housing capacity figure of 200 reflects the amount of land which is considered to be available within the Plan period.

Economic Issues

In respect to the range of issues raised in regard to the current and future economic prospects for the area please see Issue 4 Employment. This outlines the main industries which are considered to have significant growth potential and are supported by the strategy and land allocations in the Plan.

Allocation of land for Filling Station

The filling station allocation is in a strategic position for the western expansion of Thurso, including being located next to the new distributor road and close to the Enterprise Area. Should these developments be delivered there may be greater need for an additional filling station in that area. The filling station together with expansion of the Business Park provides for greater scope to enable wider development of TS04 by contributing towards infrastructure provision.

Although the former filling station on Ormlie Road has recently been bought over and re-opened the filling station at Castlegreen Road was recently demolished to make way for Lidl's supermarket expansion. This means there are three filling stations in Thurso: on Ormlie Road, Mansons Lane and the A9 at Bridgend.

There would be a presumption in favour of redeveloping the former garage site next to the Weigh Inn as it is located within the Settlement Development Area boundary and classified as a brownfield site. However, given that it was not suggested by the landowner or potential developer the site may not be effective in the short term. The Council considers that the site should remain unchanged and no modification is proposed.

Commercial allocation at Pennyland Steading

The allocation in the existing Caithness Local Plan identifies the area west of Pennyland House for a hotel with the B-Listed Pennyland House and Steading forming part of the allocation. Since then Pennyland House has been established as a successful B&B and there has been no interest in progressing with development on the hotel allocation (site reference 21 in the Caithness Local Plan (CD17)). This was taken into account when proposing to reallocate the land for Housing. Although the Council remains in favour of retaining and incorporating the steading into other proposals, e.g. tourism or housing, it is not considered appropriate to be part of the allocation. The Council is not minded to make any modification to the Plan.

Town Centre Regeneration

Objections to the inclusion of TS04 on the grounds that development must be directed to the town centre are not considered as appropriate. The Plan promotes the regeneration of Thurso town centre and enhancing its vitality and vibrancy is shown as one of the key Placemaking Priorities. The introduction of the Town Centre First Policy also directs all significant footfall generating uses within the identified town centre boundary. The Council recognises, however, that it is not appropriate to direct all development to the town centre. Also due to the potentially high additional costs involved in redeveloping town centre sites alternative opportunities outwith the town centre need to be identified to ensure that important investment in the area is not discouraged. As a result no modification is proposed to the Plan.

Directing commercial development to existing centres

The Plan already focuses commercial development towards existing or recognised future commercial centres. For example, the Business components of TS04 are located next to the Business Park and the only Industrial allocations in Thurso are at Scrabster Harbour and the Enterprise Area. Business uses form part of several other Mixed Use allocations in Thurso (e.g. TS05 and TS06) but these provide greater flexibility for the redevelopment of brownfield sites which are also relatively close to the town centre. As a result no modification is proposed to the Plan.

Planning History

Planning history, including previous decisions, is relevant background and provides context for the current situation in Thurso west. However, the citing of previous planning decisions as a reason for not allocating land is not appropriate. The development plan review allows for the opportunity to look at new development proposals, including those being put forward on sites where previous decisions were unfavourable to particular development proposals. The previous Public Local Inquiries, held in 1996 (planning application) and 2001 (local plan), examined the suitability of development on the fields at Pennyland and have been fully considered in the preparation of the Plan. Following the submission of two supermarket applications in Thurso (Asda at Pennyland 06/00038/OUTCA and Tesco on the former mart site on Ormlie Road 08/00494/REMCA) a Public Local Inquiry was held in 2007(DPEA Case Ref: PPA-270-459). After deliberation the Reporter granted planning consent for the proposal at the former mart site and refused the Asda proposal at Pennyland.

The sites at Pennyland were put forward for discussion during the Thurso Charrette in 2013. The land south of the A9 was envisaged as having potential for residential and mixed use development given its proximity to the town centre and fine northerly views. The land north of the A9 was also considered at the charrette which looked at potential hotel locations in Thurso West with options on land west of Pennyland House and to the north of the A9, west of the caravan park. The final Charrette Report (CD25) envisaged a mixed use development south of the A9 (with potential for a hotel) and the area north of the A9 was recognised as being a high amenity cliff-top site.

The sites were also suggested to the Council during the CaSPlan Call for Sites (Aug – Oct 2014), for development by the landowner for safeguarding as openspace by members of the public. As with all sites that were suggested during this stage the Council reassessed the suitability of each of them. Following careful consideration it was agreed that some

forms of development could be accommodated at Pennyland with appropriate mitigation to minimise the visual impact while also maximising public benefits. Many of the proposals are important for economic development, improving access to quality public open space and delivering strategic transport improvements.

Overall, the planning history of the site provides useful background information but the site is considered suitable for development for the reasons outlined in this document. As a result the Council are not minded to make any modifications to the Plan.

Environmental Issues

Sense of Openness

The concerns expressed over the impact on the sense of openness in the west of Thurso are recognised. However, it is considered that certain areas of Pennyland could be acceptable if sufficient land is safeguarded to form high quality of accessible amenity spaces and areas of natural environment are protected/enhanced. Areas have been identified as Expansion to the Green Network alongside the A9/A836 with corridors running continuously through the site to the east and south. The moors at High Ormlie are an important feature but some parts have suffered from a lack of investment/ maintenance and anti-social behaviour. Development of TS04 can help to improve the recreational and environmental quality of the area.

As shown in the Developer Requirements, the areas of development alongside the A9/A836, will also be expected to provide a particularly high quality of siting and design. This will ensure that it presents an attractive entrance into the town from the west and is well integrated with the areas shown as forming part of the green network. Any developer would be required to submit a Landscaping Management Plan which will set out in detail features such as planting and maintenance of any vegetation/shrubs/trees for the site. This will ensure that any landscaping will be suitable to the weather conditions and is well maintained.

Coalescence

The objections over coalescence between Burnside and Thurso are not justified as Burnside is considered as a suburb of Thurso rather than an established or historic stand-alone community. Burnside is a relatively modern housing estate (built during the 1990s and 2000s) and has never had any facilities/services such as shops, school, post office, library or community hall. As a result the coalescence between the two areas does not raise significant planning concerns.

Despite this, the proposed Expansion of the Green Network on the section of TS04 immediately south of the A9/A836 and the proposed public park on TS12 will mean that a sufficient gap remains between the two areas to maintain a sense of openness. These areas will also serve as parts of the green network serving as a continuous green, active travel corridor from the sea, through Pennyland, to the moorland at High Ormlie and out past the golf course. No modifications are proposed to the Plan on the grounds of coalescence.

Improving Amenity Value

Other than being open agricultural fields with views across Pennyland and out over Thurso

Bay the land itself has limited amenity value for residents or visitors. The Caithness Local Plan (CD17) sets out aspirations for the areas marked as 'Amenity' for enhancing the public amenity of land north and south of the A9 at Pennyland including the creation of a public park, playing field and pitch and putt course. It also noted that "where possible, the siting of all ancillary building will be rigorously controlled to ensure that the panoramic view across this area is maintained in its entirety." Over the past 15 years since the existing local plan was adopted there has been no attempt to deliver these facilities by the landowner, community or the Council. The delivery of the scheme was also not tied to any of the proposals set out in the Thurso West expansion strategy (as identified in the Caithness Local Plan or Thurso West Development Brief). The proposals set out in CaSPlan present a mechanism for achieving the delivery of greater public access to and provision of amenity space in the area.

Impact on Listed Buildings

Concerns over the impact of development on the adjoining the B-Listed Pennyland House (which includes the commemorative plaque to Sir William Alexander Smith) have already been addressed with Developer Requirements to provide a high quality siting and design and any development to be low level/density. However, to provide greater clarity and reflect other sites adjoining Listed Buildings, if the Reporter is so minded, the Council would be content with the following Developer Requirement being added: "Sensitive siting and design required due to proximity to Listed Building".

Prime Agricultural Land

Whilst this site does involve some loss of Caithness' prime agricultural land (rated 3.2 within the Land Capability for Agriculture classification), it lies close to the town centre, and is considered the most appropriate option for strategic growth. It therefore forms a component of the settlement strategy and accords with SPP (CD01) with regard to loss of prime agricultural land. Therefore no modifications are proposed to the Plan on the grounds of impact on prime agricultural land.

Development Setback

The Expansion to the Green Network notation on the map shows that a setback from properties at Pennyland Drive will form part of the proposals for TS04. It is considered more appropriate to set the specific separation distance as part of the preparation of the Development Brief or developer led masterplan (which ever comes first). The Plan already identifies as a Developer Requirement that the houses should be a 'low level' development. Therefore no change is felt necessary to the Plan.

Enhancing Wolf Burn for Wildlife and Recreation

Concerns raised about the clarity of proposals for Wolf Burn are noted. However, the Plan identifies that as part of the development of TS04 the area along Wolf Burn should be made into a positive environmental and recreational area. On the map the notation for the Expansion of the Green Network covers a wider area to show that this is expected to be a wide corridor including not just the burn itself and the footpath. Further detail of the greenspaces and expansions of the green network will be identified as part of the proposed Development Brief or by a masterplan if it is taken forward in advance of the Development Brief. No modification is proposed to the Plan.

Prevailing Wind

The impact from the prevailing wind is considered as part of the SEA (CD07) site assessment. However it forms part of a wide range of factors which are taken into account in assessing the suitability of a site. In this case, as the site adjoins the town to the south and east the existing built environment provides some level of protection for much of the site. The site also provides an important role in the strategic expansion and delivery of improved transport infrastructure in Thurso. As a result no modification is proposed to the Plan.

Ground conditions

Concern over the unsuitable ground conditions and underground natural springs at the south eastern section of TS04 is noted. However, no evidence has been provided to back this up and it was not raised by any internal or external agency which we consulted in the preparation of the SEA Environmental Report (CD07) and the Plan itself. As a result no modification is proposed to the Plan.

Archaeology

The Council's Historic Environment Team (HET) and Historic Environment Scotland (HES) were both consulted during the preparation of the SEA Environmental Report (CD07). As some historic environment records were identified on the site a Programme of Archaeological works was included as a Developer Requirement. As a result no modification is proposed to the Plan.

Protected Species

The potential impact on protected species such as otters is recognised and a Protected Species Survey is already included as a Developer Requirement. The developer of the site will be required to provide additional appropriate information at planning application stage to demonstrate that proposals meet the general policies set out in HwLDP (CD18), including Policy 57 Natural, Built and Cultural Heritage and Policy 63 Water Environment. In relation to concerns about 'endangered' species in Ormlie moors no modification is proposed to the Plan.

Infrastructure

Housing West of Pennyland House

Concerns regarding the potential access from Forss Road and Castlegreen Road to serve the Housing allocation west of Pennyland House are noted. To ensure that the level of housing development is suitable the Council would be content with the existing reference in the Developer Requirements ("…accessed via Castlegreen Road or Forss Road") being replaced with the following text "Access from Castlegreen Road and/or Forss Road, with scale of development dependant upon the access arrangements that can be achieved."

Access from Pennyland Drive

The Plan identifies potential road access points to TS04 including an access south westwards from Pennyland Drive. This is only indicative and a Transport Assessment will be required to inform the final road layout. Should a road access to be taken from

Pennyland Drive, resulting in the removal of the existing children's play park, then a new facility of equal or better quality would be required nearby to meet Policy 75 Open Space in HwLDP (CD18). As a result no modification is proposed to the Plan.

Impact on Residents of Rockwell Crescent

The impact on neighbouring residents was considered as part of the site assessment process. As the area between Rockwell Crescent and the Business Park slopes downwards from the existing houses development should not impinge on daylight levels of neighbouring residents. Amenity issues such as these will also be addressed in further detail at planning application stage and possibly at Development Brief/masterplan stage. Therefore no modification is proposed to the Plan.

Other Issues Raised

Social Problems Resulting from Housing Developments

Public sector housing developments from around the 1960s and 1970s, such as at Pennyland, were often large, single tenure estates which have since been shown to lead to certain social issues. However, new housing developments are designed to provide sustainable communities where there is mix of house types and tenures and residents have appropriate access to facilities and amenities that help bring communities together and reduce social problems.

Redeveloping Brownfield Land

The Council supports the principle of redeveloping brownfield land and promotes, where possible, suitable brownfield development opportunities. The Plan aims to reduce the pressure on greenfield sites and achieve regeneration by identifying key brownfield sites, such as TS06, TS07, TS08 and TS09, and directing development to town centres. However, due to the potentially high additional costs involved some greenfield sites need to be identified to ensure that important investment in the area is not discouraged and in order to provide sufficient supply of land and range of development opportunities.

Promoting Town Centre Development

The Town Centre First Policy seeks to direct all significant footfall generating uses towards designated town centres. The policy also supports the conversion of buildings providing there is no loss of existing or potential viable footfall generating use. The Plan recognisees that it is not appropriate or feasible to direct all housing or commercial development to town centres. As a result the Plan allocates land outwith the town centre.

Impact on Private View

Whilst the Council consider the impact on neighbouring residents, the right to a private view is not a material consideration in the planning system. Due consideration will be given at the planning application stage to any impact on residential amenity, through the HwLDP (CD17) general policy 28 Sustainable Design and at the Development Brief/masterplan stage. As a result no modification is proposed to the Plan.

See Issue 6 Environment and Heritage for the response to the request for Pennyland to be designated as a Special Landscape Area.

Other Concerns

Implications of an Allocation in the LDP

It is not the case that should a site be allocated in the Local Development Plan a developer would be automatically granted outline planning. Although the allocation in the Plan does show that the Council would support in principle the allocated land uses a developer would still be required to submit an application, either for planning in principle or a full planning application. Interested parties, including the general public, would then have the opportunity to make comments on the application.

Indicative Housing Capacity

The 20 house allocation next to Pennyland House was included in the total allocated housing land figure shown in the Growing Communities section (paragraph 20). However was recognised that the indicative housing capacity figure shown in the Proposed Plan for TS04 (180) only included that for the Housing component south west of Pennyland Drive. The total figure for TS04 should have been 200. This error was corrected as a non-notifiable modification at Modified Proposed Plan stage. No comments were made during the Modified Proposed Plan consultation in relation to this change.

Protecting Wolf Burn Water Quality

The site is upstream of the recently constructed Wolf Burn Distillery which takes its water from the burn. Therefore, to protect the integrity of the distillery business, if the Reporter is so minded, the Council is content for the suggestion made by SEPA to be made, namely to add the following developer requirement: “The Wolf Burn should be protected by a 25 metre development exclusion buffer. Note that discharges to this watercourse are unlikely to be acceptable”.

Incorrect Site Referencing

The site references, as shown in the Proposed Plan, included within the Developer Requirements for TS04, TS12 and TS14 were recognised as being wrong shortly after the consultation started. The errata for the Proposed Plan noted this error and included the correct site referencing (referring to TS04, TS12 and TS14 rather than TS01, TS02 and TS03). The error was corrected as a non-notifiable modification at Modified Proposed Plan stage (which also included the removal of the sites TS12 and TS14 from the Plan). No further comments were made on the site references during the consultation on the Modified Proposed Plan.

South Western Boundary of TS04

The south western boundary of TS04 takes a slightly tighter line than that identified as part of the existing Thurso Western Expansion Area Development Brief (2003) (CD23). As a result it excludes a small section of the field adjoining Ormlie moors which was previously allocated. Although this section of TS04 is identified for Long Term Housing the site forms part of the wider strategic expansion of Thurso and is expected to be developed in the future. However, if the Reporter is so minded the Council would be content for the boundary to be moved outwards to include the whole field. This would provide greater clarity over the extent of development supported and better reflect the existing Development Brief (2003) (CD23) and subsequent planning permission (now lapsed).

Other Land Uses Suggested

Retail is not considered to be a suitable use as part of the Mixed Use allocation TS04 as it does not accord with the Town Centre First Policy which directs all significant footfall generating uses towards the town centre. Given the topography and prominent nature of the land south of the A9 large retail development would also have a significant impact on the landscape. The Council do not propose to modify the Plan to include Retail as one of the uses.

An additional Hotel allocation near the Business Park is also not supported as it is arguably a less appealing location for attracting a quality hotel given the adjoining uses and a more restricted view. If a budget hotel was to take the site forward then it could present significant direct competition with town centre hotels. The Council do not propose to modify the Plan to include Hotel as one of the uses.

Scottish Water

The request for the Council to make Scottish Water aware if and when potential non-domestic usages are known on the sites is noted. In terms of a similar study to accompany a contamination survey prior to connection to the water supply, this is the responsibility of the developer and Scottish Water. No modification proposed to the Plan.

Planning Authority's consideration of representations on the Modified Proposed Plan in February 2017

TS04 Thurso West

On the 31st August 2016 in agreeing the response to comments on the Proposed Plan the Caithness Committee considered options for site allocations TS04 Thurso West alongside TS12 East of Burnside for Community and TS14 Land West of Caravan Park for Business. Please see Issue 12 for details on the options considered by Committee relating to Thurso sites TS04, TS12 and TS14. For TS04 the Committee agreed to retain the site as a single allocation as shown within the Proposed Plan rather than to separate TS04 into its key components on the Proposals Map.

Many of the points raised during the Modified Proposed Plan consultation were considered and the response agreed by Committee on 31 August 2016 still applies. We did not therefore reconsider these issues again here. Instead, below is a summary of the new issues raised during the Modified Proposed Plan consultation and the Council response:

Allocate the Long Term Sites/Expand Range of Uses

A large number of representations were made which are supportive of the principle of development at Thurso West but object to aspects of TS04, and more specifically the land west of Pennyland House, requesting that the whole site is allocated for development within the Plan period and that the range of allocated uses should be expanded. , The Plan, however, already identifies a range of development opportunities in Thurso including land for major business development adjacent to the existing Thurso Business Park and retail and office opportunities within the town centre, at the former mart and sites along the riverside. The Plan also allocates land with indicative capacity totalling 363 houses on a number of different sites in Thurso within the Plan period.

With reference to requests for Retail to be added to the mix of allocated uses for TS04, the Council does not consider the site and more specifically the land west of Pennyland House, suitable for such uses. As outlined in Policy 1 Town Centre First of CaSPlan, significant footfall generating uses such as Retail are directed towards town centres. Proposals for significant footfall generating retail uses which are outwith town centres must produce a retail impact assessment to demonstrate that there would be no adverse impact on the vitality or vibrancy of the town centre. No such evidence has been submitted in support of the request that Retail is added to the mix of uses. Whilst the Long Term status of land west of Pennyland House indicates that the Council considers that some development may be accommodated on the site the Plan is clear that it is housing development that is being referred to as opposed to large retail units which could have a significant impact on the landscape.

In reference to more specific requests for the inclusion of a proposed supermarket within allocation TS04, this was an issue posed at Main Issues Report stage and it was apparent that there was no significant desire within the community or developer interest in such a proposal. At no stage in the CaSPlan preparation process have we received any formal representations from a supermarket retailer interested in developing land at Pennyland. Comments made to the Modified Proposed Plan have not raised substantial rationale or evidence that demonstrate that there is need for a new supermarket in Thurso. Furthermore, Lidl have recently expanded their store at Pennyland to almost 1,350m^2 in sales area and the former mart site, which remains the preferred choice over Pennyland, has a current application pending consideration for two retail units on the site.

As highlighted above, a range of commercial and housing development opportunities have already been identified within the Plan for Thurso and the Council is not minded to expand the range of uses or bring the Long Term area forward as an allocation. As a result no change is proposed to allocation TS04.

Separation of TS04 into Separate Components

With reference to requests that site TS04 should be separated into its component parts, it is considered that it is best taken forward as a single allocation as it would better reflect the extent covered by the forthcoming review of the Thurso Western Expansion Area Development Brief (2003) (CD23). During the preparation of the Development Brief or at future plan reviews the suitability of development can then be assessed and the potential mix of development across the site can be identified. This position was agreed by Councillors as part of the Proposed Plan and reaffirmed at Caithness Committee in August 2016. As no reasons were provided to challenge this position we therefore do not propose any amendments to allocation TS04.

Decision Making for Sites West of Pennyland House

Following consideration of the representations at the Proposed Plan stage it was not considered necessary to include the removal of the sites west of Pennyland House as one of the options suggested to the Committee. The Committee was not limited to considering the options outlined in the report. The Council's agreed position is the inclusion of this area within TS04 and as a result no change is proposed to the allocation.

Setting Appropriate Mitigation

Concerns raised over the sensitivity of the site are recognised, however, the Plan sets out

a range of mitigation to minimise the visual impact from development on TS04. This includes expansion areas for the green network, a buffer strip of at least 30 metres along the A836, high quality siting and design especially around more prominent areas; and requiring the housing development west of Pennyland House to be low level/density. These Developer Requirements identified in the Plan are considered sufficient to mitigate any potential impacts. Therefore no change is proposed to allocation TS04.

Enforcement of Development Requirements

The Council's Development Plan is of particular importance when making planning decisions. When the Council deals with planning applications for proposed development it has regard to the Development Plan (comprising Local Development Plans and Supplementary Guidance) and material considerations. The Highland Council's area local development plans set out site allocations including any Developer Requirements which need to be addressed (see the CaSPlan Glossary for more information) either as part of the application or set out in the conditions. The law states that unless material considerations indicate otherwise, an application is to be determined in accordance with the development plan. Therefore, no change is proposed to allocation TS04.

Pennyland Landowner and Asda Proposal

In relation to the point raised about the landowner of Pennyland and Tulloch Homes enticing Asda from pursuing the mart site, the private negotiations and commercial decisions made between private companies, developers and landowners is not a material consideration. The purpose of the Development Plan is to identify effective development sites and suitable land uses. As a result no change is proposed to allocation TS04.

Lack of proper assessment of alternative sites

The Council disputes the claim that sites in Pennyland were identified as the key growth area while other sites were unjustly eliminated. Through the preparation of the Main Issues Report and as part of the SEA process each site was assessed both individually and in combination with others to identify the general strategy for Thurso and which sites were most suitable to be allocated for development. As a result no change is proposed to allocation TS04.

Pennyland turning area

The turning area opposite the Weigh Inn was created to allow for HGVs to more easily transport wind turbine components from the harbour to development sites. As this section of TS04 is identified for Long Term potential development there is no threat to the turning area during the plan period. Should the site be recommended for allocation in future plan reviews and the turning area is still required then a Developer Requirement can be added to protect/formalise it as part of the development proposals. As a result no change is proposed to allocation TS04.

Bottleneck at Ormlie Road/Provost Cormack Drive

The access point from Provost Cormack Drive will serve development at High Ormlie until the distributor road which will connect to the A836 is delivered. As part of the Developer Requirements for TS04 a Transport Assessment will need to be carried out which will address concerns regarding impacts on the road network. As a result no change is

proposed to allocation TS04.

Further opportunities for public consultation

Opportunities for future public engagement and consultation on development proposals for TS04 were discussed at the Caithness Committee in February 2017. It was noted that consultation would be a statutory requirement as part of the preparation of a development brief (as Supplementary Guidance) or developer-led masterplan (as part of pre-application consultation for major development). However, to make this requirement more explicit and to encourage engagement with the community, if the Reporter is so minded, the Council would be content with additional text (shown in italics below) being added to the definition of a 'masterplan' in the glossary (page 126): "A document that explains how a site or series of sites will be developed. It will describe how the proposal will be implemented, and set out the costs, phasing and timing of development. A masterplan will usually be prepared by or on behalf of an organisation that owns the site or controls the development process. *Those preparing masterplans should engage with the Council from the outset and hold effective and meaningful public consultation which informs the content of the masterplan*".

Concluding Remarks

Although there was a relatively large number of comments on site allocation TS04 Thurso West during the Modified Proposed Plan consultation, no new issues or substantive evidence were raised which warrant the Council making amendments to the Plan. Furthermore, the Council is not seeking to propose any additional suggestions of amendments to the Plan for the Reporter to consider.

Reporter's conclusions:

Conflict of Interest

1. I note the concerns expressed in representations about an alleged conflict of interest brought about by the role John Thomson & Partners had in facilitating the Thurso and Wick Charrettes on behalf of the planning authority, and then preparing an initial plan for a representor on the western expansion of Thurso. However, such a matter falls outwith the scope of this examination, whose focus is on identifying deficiencies in the Plan arising from unresolved (planning) issues raised in representations, and recommending modifications, or setting out post adoption actions, to rectify them.

Thurso West Distributor/Relief Road

2. The Plan shows the proposed Thurso West Distributor/Relief Road stretching from the A9 south of Thurso, around the strategic western expansion area (TS04), to the A9 to the north west at Scrabster. The indicative routes shown in the Plan would involve a crossing over the River Thurso and the railway line. In the section of the route between the B874 and the A9 at Scrabster, 2 options for the route are shown, one to the west of Thurso Business Park, and the other to the east through TS04 and between the housing at Burnside and TS03. A local distributor/link road is shown as extending from Provost Cormack Drive to the A836. At its northern end, the local distributor is on the same line as the eastern option for the distributor/relief road. Paragraph 112 of the Plan refers to the creation of a distributor road between Ormlie, Pennyland and Upper Burnside which could then form part of a relief road if it was extended to join the B874 and the A9. The adopted

local plan includes provision for a similar road. It shows a route between the B874 and the A836 on the Thurso Western Expansion Framework Plan, which is the same as the one shown to the east of the business park in the Plan. The adopted local plan indicates that the road should be capable of extension and upgrade to provide a by-pass.

3. Some representors, including the Scottish Government, seek the removal of references to the distributor/relief road and connections to the A9 from the Plan. Others seek its implementation as a priority and the introduction of a new route further to the west. Another representation expresses concern that the planning authority does not have the financial resources to deliver it. In response to FIR 08, the planning authority provided more details and information on the Thurso West Distributor/Relief Road and the local distributor/link road. Representors had an opportunity to make further representations on the response.

4. No robust appraisal exercise has been undertaken for a distributor/relief road around the western edge of Thurso. As such, the inclusion of the road in the Plan does not accord with Scottish Planning Policy (SPP), which requires an appraisal of the impact of the spatial strategy and its reasonable alternatives, on the transport network. The distributor/ relief road would likely require significant public funding and, in the absence of any commitment to such funding, and given the lack of support from Transport Scotland, I have concerns about whether it can realistically be achieved within a short to medium term timescale. In the circumstances, I do not consider that it should be included in the Plan in the form proposed. This remains the case even though the road is only described on the Thurso/Scrabster map in the Plan as Indicative.

5. However, I am not persuaded that it should be completely deleted from the Plan. I note that a road around the western side of Thurso is a long standing proposal, which has been included in adopted local plans since at least the West Caithness Local Plan. I also have no doubt that such a road would be an important strategic piece of transportation infrastructure in this area, and that it forms an integral part of the significant expansion planned in the long term to the west of the town. It would be broadly consistent with the thrust of National Planning Framework 3 (NPF3), which envisages likely longer term improvements to road (and rail) access in North Caithness to support growth, and recognises the important roles that Thurso and Scrabster have to play as centres for investment, hubs for transport and servicing, and as places to live and work in order to support the opportunities emerging from the area's offshore renewable generation potential.

6. Additionally, the road would help, in the longer term, to support the planning authority's objective of continued economic growth, which underpins the policies and proposals in the Plan. More specifically, it would help support the development of Scrabster Harbour, Scrabster Renewable Energy Enterprise Area, TS04, and the long term sites at North West of Thurso Business Park (TS17), West of Upper Burnside (TS03), and North West of Dunbar Hospital (TS10). Furthermore, I agree with the planning authority that it would overcome the reliance in Thurso on one road crossing over the River Thurso and, as such, it would address traffic congestion, awkward lorry manoeuvres, and related amenity concerns in the town centre, which would only be likely to increase in the future if the economic potential of the town was realised. I also consider that retaining the road line in the Plan would help users to better understand and assess the proposed relationship between future and existing land uses and transportation infrastructure, which would be in the interests of the ordered and controlled development of the area.

7. The westernmost option shown in the Plan for the distributor/relief road emerged from the Thurso Charrette. The eastern option has been subject to a more thorough technical assessment in the 2003 Thurso Western Expansion Area Development Brief. Both options still remain at a very preliminary stage. More detailed matters, including the technical design of the road, its precise alignment, and the mitigation required to deal with its impact on the existing built up area, would be considered at a later stage when more in depth design work is underway. I do not believe that it would be appropriate to move the distributor/relief road further to the west because the representor has not provided a potential route and its suitability cannot therefore be considered. Given that no technical assessment has been undertaken of the westernmost option shown in the Plan for the distributor/relief road, I agree with the planning authority that the Plan should continue to show 2 possible options.

8. The planning authority's response to FIR 08, including attachment 19, shows the proposed phasing of the distributor/relief road and local distributor/link roads, and the phasing for the development of TS04. It also explains that the authority intends to prepare a new development brief for the area. The planning authority indicates that the roads within TS04 i.e. the local distributor/link roads would be fully funded and delivered by the developers of the different parts of the allocation. While the development as a whole and the construction of the roads are shown on the attachment as taking place in 3 phases (short/1st, medium/2nd and longer term/3rd), the Plan includes them in one allocation on the Thurso Settlement Map. As the local distributor/link road is required to service TS04, I am satisfied that this road should remain identified as an Indicative Road and Site Access in the Plan. Given that a single allocation is shown, I see no need to differentiate between the 3 phases on the Settlement Map. The Plan should make clear in the supporting text (paragraph 112 and the Developer Requirements) that the road is a local distributor/link road, that it would be funded by developer contributions, and that the relevant sections should be capable of being upgraded to a distributor/relief road.

9. Outwith TS04, the 2 options for the distributor/relief road should be identified in the Plan as long term, potential distributor/relief road routes. This includes the routes to the north of TS04 (between the A836 and A9) because this area may be subject to significant future land use changes, as outlined in the Plan. To the east of the B874 (between the B874 and the A9), the land use changes proposed are not so significant, and it would be sufficient to show the proposed route more schematically setting out short sections of the route closest to the B874 and the A9. I am satisfied that showing the route in the manner outlined would provide a reasonable balance between the planning authority's aspiration to deliver such a road and the lack of any current funding commitment for it. It would also be consistent with the low priority assigned to this project in the 2012 Caithness Internal Transport Connectivity Study, and the absence of any information about its delivery in the Action Plan. The Plan should also make clear in the supporting text (paragraph 112) that there are 2 options, the reasons for including these options and for illustrating them in the manner outlined on the Settlement Map, and the fact that there is at present no funding commitment or support from Transport Scotland for the route, all as set out below.

10. As a consequence of the representations received, including one from Scottish Natural Heritage (SNH) relating to Thurso West (TS04), and my recommendation that the distributor/relief road be retained as a long term, potential proposal, I believe that it would be appropriate for the Plan to highlight that any future road proposal involving crossing the river should demonstrate that it would have no adverse effect on the integrity of the River Thurso Special Area of Conservation (SAC). I am satisfied that such a provision would be sufficient to protect the interests of this internationally important designation. It could

reasonably be accommodated in paragraph 113, which already addresses matters relating to this special area of conservation.

11. Overall, adjustments are required to the Plan.

TS04 Thurso West

12. TS04 is situated on the western edge of Thurso, between Burnside to the north and High Ormlie to the south. It is irregular in shape, extends to around 57 hectares, comprises a mix of open fields and moorland, which slope upwards towards the south, and is divided into 2 by the Wolf Burn. The site is allocated for Mixed Use (Housing, Business, Retail [petrol station only], Open Space) in the Plan, with parts of the site (the areas east of the proposed filling station and west of Wolf Burn) being identified as having long term development potential. The site makes a significant contribution to meeting the housing land requirement in the Plan, and to providing a choice of housing sites in the town, which is the principal market, service and social centre for west and central Caithness, and an area reaching into North Sutherland.

13. In the adopted local plan, parts of TS04 (to the west of Pennyland Drive and Rockwell Crescent, and to the west of Pennyland House) are allocated for housing, business and hotel, with the hotel allocation extending over the site of Pennyland House and steading. Provision is also made within these areas for long term housing and business development. The remaining parts are designated as Amenity Areas (the area to the north of Binns Road and Hoy Place, and the area by High Ormlie), and include provision for a public park in the long term. The adopted local plan sets out a Thurso Western Expansion Framework Plan, which gives details of the access (a link road, and a distributor/by-pass) and phasing. On the face of it, the area proposed for development in the Plan appears larger than that shown for development in the adopted local plan primarily because the former includes the designated Amenity Area west of Pennyland House.

14. TS04 has an extensive planning history. In 1994, planning permission was refused, and a subsequent appeal dismissed, for 37 houses on land (3.7 hectares) to the west of Pennyland House. In 2003, following the adoption of the 2002 Caithness Local Plan, the planning authority published the Thurso Western Expansion Area Development Brief. The brief was based on the allocations for development set out in the 2002 local plan (which were essentially the same as those identified in the current adopted local plan [2012]). The purpose of the brief was to set out a detailed development framework, including layout and design principles, servicing requirements and environmental factors.

15. At the end of 2006, outline planning permission was granted, subject to conditions, for the formation of a masterplan for housing development, business community uses, and roads infrastructure based on the areas allocated for development in the 2002 local plan. In 2006 and 2007, detailed applications for the approval of reserved matters were lodged for 2 phases of housing (phases 1A [83 private houses] and 2A [22 affordable houses]). Neither application was determined. At the beginning of 2008, Scottish Ministers refused outline planning permission for a retail foodstore which was proposed on more or less the same site as that refused planning permission for housing in 1994, and which was part designated Amenity Area and part allocated hotel in the 2002 local plan.

16. The 2013 Thurso Charrette report identified TS04 as a potential residential and mixed use extension area set in a landscape structure (including the area to the north of Binns Road and Hoy Place). It also included proposals for a community woodland. Following

the publication of the Charrette report, the promoter of TS04 prepared a masterplan for an area that included TS04. It proposed residential, commercial, retail (including a supermarket), amenity space and woodland. In 2014, the Main Issues Report (MIR) identified land north west of Provost Cormack Drive and west of Pennyland House as preferred sites for mixed use developments of housing, business, open space and community. It treated this land as 2 separate sites (TS04 and TS06).

17. As far as TS04 (as shown in the Plan) is concerned, the differences between the Original Proposed Plan and the Modified Proposed Plan are not particularly significant. They involve amending the Indicative Housing Capacity figure from 180 to 200 and changing the Developer Requirements by the removal of the references to TS12 (East of Burnside) and TS14 (Land West of Caravan Park) from the requirement for a single masterplan/ development brief. The former was a correction to take account of a housing allocation which had been made (on land to the west of Pennyland House) but which had not been taken into account in calculating the housing capacity figure for TS04. The latter merely reflected the fact that the Modified Proposed Plan does not include TS12 and TS14. The representations relating to TS12 and TS14, which concern proposals for a hotel (Business [Tourism and Leisure] allocation) and park (Community [public park] allocation), are dealt with at Issue 12.

18. A significant number of representations were received in relation to this Issue. I note that there is support for TS04. Representations were received in respect of both the Original Proposed Plan and the Modified Proposed Plan. I have found that the representations on both Plans can readily be dealt with together, and that it is unnecessary to consider them separately under each version of the Plan. In essence, some of the representations seek the removal of the allocation from the Plan. Others seek adjustments to its boundaries, changes to the Developer Requirements and the mix of uses, or other amendments to the general text. In response to FIR 08, the planning authority provided more detailed explanations and information on, amongst other things, the planning history of TS04, the nature of the proposals and potential timetable and phasing for development, and the revision it proposes to the boundaries of the allocation. Representors have had an opportunity to comment on the response.

19. I deal with housing land supply matters at Issue 03 where I conclude that the housing supply target and housing land requirement set out in the Plan are appropriate, and reasonably based on the findings of the Housing Need and Demand Assessment, the planning authority's objective (continued economic growth) for the Plan area, and the need to provide a generous housing land supply. The indicative housing capacity figure in the Modified Proposed Plan for TS04 (200) is not the total housing capacity of the whole of TS04, it is the indicative capacity of the allocated housing areas that are expected and phased to come forward for development in the Plan period. The figure excludes those areas of TS04 identified in the Developer Requirements as having potential for long term housing development. The suitability of these areas for development would be considered at future plan reviews. The planning authority estimated in its response to FIR 08 that the total indicative capacity of TS04, including the long term sites, would be 350 houses. This would be considered further by the planning authority at the development brief stage. The actual capacity of TS04 would only be known at the development management stage when detailed proposals, including any masterplans, have been prepared and assessed.

20. The areas allocated for housing development in TS04 make an important contribution to the total housing land supply, constituting around 13% of the supply. I consider that their inclusion helps the Plan provide sufficient land to satisfy the housing supply target

and the housing land requirement, and therefore to meet the housing land policy requirements set out in Scottish Planning Policy (SPP). With no suitable alternative replacement sites before the examination, the deletion of TS04 would mean that the Plan would offer less flexibility and less choice in its housing land supply, including in Thurso. I believe that this prospect provides a sound reason for retaining TS04 in the Plan, particularly when account is taken of the need to provide a generous supply of housing land.

21. SPP also indicates that plans should make provision for most new urban development to take place within, or in planned extensions, to existing settlements. Taking this into account with the objective of continued economic growth, and the fact that Thurso is one of the principal towns in the Plan area, I am satisfied that a relatively large, strategic mixed use proposal would be justified in, or adjacent to, this settlement. While TS04 is greenfield, there is no prohibition on developing greenfield sites. I have found at Issue 03 that the Plan makes good provision for allocating sites incorporating brownfield land, and this includes allocations in Thurso. Additionally, no brownfield site capable of accommodating a development of the scale proposed has been drawn to my attention. Furthermore, as TS04 is by far the largest element of the proposed western expansion of the town, it has the advantage that its development could, in the long term, potentially act as a stepping stone towards the provision of further strategic infrastructure improvements at this location.

22. At Issue 10, I have concluded that it is appropriate for the Plan to continue to identify the direction of Thurso's strategic expansion as being to the west. At this location, the land gently rises from the coastal area to form a rim to the south. The landscape to the south of the A836 is unspectacular, has no exceptional value, and has undergone significant change as Thurso has expanded into its surrounding landscape over the years. At Issue 06, we conclude that it would not be possible to designate TS04 as a Special Landscape Area. I also note that the existing urban edge on this side of Thurso is poorly defined and somewhat haphazard, and that Thurso Business Park, and the residential area at Burnside (on the northern side of the A836), are detached from the greater part of the built up area of Thurso.

23. While a large part of the site is categorised as class 3.2 agricultural land under the classification developed by the Macaulay Land Use Research Institute, and it can be regarded as locally important, it does not constitute prime agricultural land as defined by SPP. Combining this with the fact that TS04 is an essential component of the settlement strategy for the Plan, I am not persuaded that the loss of agricultural land could reasonably be used in this case to justify deleting the allocation.

24. The fields and the moorland (over which there is a network of paths), by their proximity, provide a landscape setting for the town and contribute to its identity. However, I believe that TS04 offers an opportunity to naturally extend the existing urban area, most notably, that part by Ormlie and west of Pennyland, which is a longstanding allocation for development. While there would be a change in the area's character, I am satisfied that the allocation could provide a more coherent urban edge and landscape structure, including a community forest, and that it would reasonably link the detached parts of the built up area together with the main built up area. I am not persuaded that the allocation would result in coalescence between Thurso and Burnside because the latter is, in effect, no more than a detached, modern suburb of the former, and both fall within the settlement boundary. A planned significant settlement extension, such as that proposed here, also gives scope to enhance the landscape setting of this part of the town. Drawing these

elements together, I consider that, in principle, TS04 can be regarded as a cohesive and effective development proposal for the expansion of Thurso.

25. I disagree with the request to change the long term status of areas of TS04 to allocations immediately available for development, including housing. Such a change would not be in the interests of the proper planning of the area, or in its orderly and controlled development, which can only be reasonably achieved through following a phasing strategy, such as that required by the Developer Requirements in the Plan (and as set out in the response to FIR 08). It has also not been demonstrated that maintaining the long term status of these areas would have a material effect on developer interest. Such a change could also not be reasonably justified on the grounds of insufficient development opportunities. An adequate number of opportunities have been provided in the Plan area as a whole and in Thurso in particular.

26. Given that the areas with long term development potential at TS04 are shown differently from other long term development opportunities identified in the Plan, it is important that the Developer Requirements for TS04 make clear to users of the Plan, that they are to be treated in the same manner. This could be achieved by adding a requirement to those areas with long term status that they are be dealt with in line with the definition of a long term site in the Glossary. With this change, I am satisfied that it would be unnecessary to indicate a timescale (such as that outlined in the planning authority's response to FIR 08) for considering these areas for development. I believe that it is helpful to have the areas with long term status included within the boundaries of TS04 because this means that the proposed review of the development brief considers the approach to the development of TS04 as a whole, including the suitability of areas for development and the potential mix, all within the framework of the guiding principles set out in the Plan. In the circumstances, I do not consider that there is much to be gained from breaking down TS04 into its component parts. As the approach to TS04 in the Plan seeks to co-ordinate development and infrastructure investment, and to provide reasonable scope to adapt to changing circumstances over time, I am satisfied that it is consistent with the thrust of SPP.

27. Furthermore, I am satisfied that a reasonable range of justifiable uses are already proposed on TS04 in the Plan, and see no pressing need to add retail (including a supermarket) and hotel development to them. This is particularly so given that the Plan already makes reasonable provision for such uses. Additionally, SPP and the Plan both place an emphasis on a town centre first approach for such uses, and I note that there are already 2 extant retail planning permissions in out of centre locations in Thurso (at TS05 [Former Mart Site]).

28. It is unrealistic to expect the type of development proposed at TS04 to all be accommodated in a town centre location, particularly when account is also taken of the relatively large scale of the proposals. There is also no overriding policy requirement in SPP or the Highland-wide Local Development Plan (HwLDP) to direct all such development to the town centre. Additionally, I note that any business development at TS04 would be adjacent to the existing business park and close to Scrabster Harbour. I am satisfied that it would be appropriate to include a petrol station proposal as a part of a strategic expansion of a settlement, particularly when it would be adjacent to a new local distributor/link road and potentially, in the long term, to a distributor/relief road. This remains the case even when account is taken of the number of petrol stations – 3 – already in Thurso. There is no evidence to show that a petrol station here would lead to significant traffic problems, or that there is a better location on the east side of the River

Thurso. In the absence of any proposal from the land owner or a potential developer for the development of the former garage site next to the Weigh Inn, I agree with the planning authority that there would be little merit in including this site as an allocation in the Plan, including for a petrol station.

29. Particular concern was expressed about including in TS04 the area to the east of the proposed filling station, north of Binns Road and Hoy Place, and west of Pennyland House. This part of the allocation is adjacent to the main road (A836) into Thurso from the west, and it is an important tourist route, lying on the North Coast 500. With the exception of the area adjacent to Pennyland House, it is designated as an Amenity Area in the adopted local plan. The previous 2001 local plan inquiry report highlighted that the land had an important role in providing an open and attractive entrance from the west. To an extent, this remains the case.

30. Nonetheless, circumstances are changing, a large turning area for long vehicles has been formed on the land opposite the junction between the A836 and the A9. Additionally, examinations are the time to review allocations and designations in local plans. The affected area is designated in the Plan as having long term potential for housing and amenity open space. Further to the west, the Plan identifies more allocations (the Scrabster Renewable Energy Enterprise Area [TS16]) and long term development opportunities (TS03 [West of Upper Burnside] and TS17 [North West of Thurso Business Park]). If development on these proceeds in the future, along with the proposed western distributor/relief road, I believe that the western entrance into Thurso would be likely to alter significantly to become more built up. Within this context, I am satisfied that it is reasonable for the Plan to now recognise that this area has potential in the long term for housing development. Given that the A836 will continue to have an important role as a main entrance into Thurso, including for tourists, I believe that it is important for this area to be reasonably attractive and to retain a degree of openness.

31. The Developer Requirements seek to achieve this by imposing a 30 metre amenity/ open space corridor alongside the A836. I am concerned that this would be insufficient, and consider that in order for this entrance to be reasonably attractive and retain a degree of openness that the 30 metre requirement should be increased to 40 metres, and that additional requirements should be imposed to make clear, at this early stage, and to inform the development brief/masterplan that any future housing development in this area should be low density and low level. Additionally, the amenity/open space corridor is alongside the A9, as well as the A836, and reference should be made to both roads in the Developer Requirements.

32. Moreover, there was concern about the proposed allocation for development of up to 20 houses at the eastern most end of the area to the east of the proposed filling station, and adjacent to Pennyland House. While this formed part of a larger site (including Pennyland House and steading) which was allocated for a hotel in the adopted local plan, it is now a standalone (housing) allocation, separated from other allocations for development (including housing) on TS04.

33. I accept that sensitively designed housing could be accommodated on this allocation without unacceptable effects on other nearby houses, and I see no good reason why it should not be considered effective, or capable of development within a reasonable timescale. However, in the interests of properly co-ordinating, and ensuring the orderly progress of, any development in this prominent, key location between the proposed filling station and Pennyland House, I believe that rather than allocate the area for housing it

should, instead, be included as a part of the area immediately to the west, which is designated as having long term potential for housing and amenity open space. It has not been demonstrated that the small number of houses proposed could be regarding as enabling development, allowing either early construction to commence on other parts of the allocated areas or possible development on the fields to the north of the A9, land which was in the Original Proposed Plan as TS12 (Community [public park]) and TS14 (Business [Tourism and Leisure]). In the circumstances, I consider that the Developer Requirement for up to 20 houses west of Pennyland House should be deleted from the Plan.

34. It is therefore unnecessary for me to consider the suitability of the access arrangements proposed in the Plan for this area. As this area would be designated as having long term potential, I am not persuaded that it would be necessary to introduce a specific Developer Requirement protecting the setting of the adjacent grade B listed Pennyland House. The need for such a requirement could be reconsidered at the time the area is considered for allocation. With this change, and in order to achieve a consistent approach to this part of TS04, I believe that the Settlement Map should also show the land adjacent to the southern boundary (ie by the eastern part of Brims Road and Forrs Road) as an extension of the existing designation for the Expansion of the Green Network further to the west (ie by Hoy Place and Rockwell Crescent).

35. In light of the modest housing density figures proposed for the allocated areas within TS04 (based on the information provided by the planning authority in response to FIR 08), I see no need to change the indicative housing capacity figure (200) proposed in the Plan. Given the small size of the adjacent Pennyland House steading and its location within the settlement boundary, I am satisfied that any proposals for it can reasonably come forward as a planning application to be dealt with on its own merits.

36. One representation sought an alteration to the western boundary of TS04 to include some land shown as being part of the allocation in the adopted local plan. While this part of the site is designated as a long term opportunity and its boundary could be adjusted in the future, I consider that the omission of this land is more likely to be a drafting error, and that it has not been done for some underlying justifiable planning reason. Taking this together with the fact that the designated area would now follow the field boundary, and that the boundaries of TS04 would echo those in the earlier development brief, I consider that the site should be extended in the manner shown in Attachment 15 (ie the area coloured yellow) attached to the planning authority's response to FIR 08. For the avoidance of doubt, the designated Expansion of Green Network area shown at this location on the Settlement Map in the Plan should be retained as such even though part of it would now be included in an extended TS04. More precise boundaries for the Expansion of the Green Network designation can be considered at the development brief/masterplan stage or when this part of TS04 is considered for change from a long term opportunity to an allocation. This change to the boundaries of TS04 also appears to require a consequential change to the settlement boundary.

37. Some representors were concerned about the impact of any development on the houses at Rockwell Crescent and the Pennyland Estate (including Pennyland Drive). Attachment 13 included with the planning authority's response to FIR 08 and the Developer Requirements indicate that housing is the predominant use proposed in the areas adjoining the existing housing, rather than uses which could have an adverse effect. The land on TS04 also slopes downwards in a general northerly direction, which would be likely to reduce the extent of any adverse impacts. Nevertheless, I note that there are existing houses close to the boundaries which TS04 shares with the adjacent residential

areas, and I consider that there would be some merit in changing the Developer Requirements to generally refer to the need for sensitive siting and design to safeguard residential amenity. This would provide an appropriate framework to deal with this matter in more detail at the development brief, masterplan and planning application stage, without being too prescriptive (e.g. by imposing a development setback distance). It would also add to the protection provided by the policies in the HwLDP (e.g. Policy 28: Sustainable Design).

38. The Scottish Environment Protection Agency (SEPA) seeks to protect the quality of the water in the Wolf Burn, and a few other representations seek to promote the burn's environmental and recreational features, including its inclusion in the Expansion of Green Network designation on the Settlement Map. Given the general statutory duty to protect and improve the water environment, and the presence of a distillery downstream, I consider that an additional Developer Requirement aiming to safeguard the water quality of the burn would be appropriate. I believe that this can be achieved by setting a 25 metre development exclusion zone around the burn as suggested by the planning authority. In light of the existing Developer Requirement for areas of open space and creation of positive environmental and recreational features of Wolf Burn, I am satisfied that the Plan sets out a clear principle that the burn is to be included in an environmental and recreational area. Imposing an additional requirement for a development exclusion zone would reinforce this principle. Together the 2 requirements set a reasonable framework for developing more detailed guidance on what is expected in this part of TS04 at the development brief and masterplanning stages. I am also satisfied that it is sufficiently apparent from their terms that the Expansion of Green Network designation incorporates the Wolf Burn.

39. Scottish Natural Heritage highlighted that if the Developer Requirements for TS04 were only referring to that site and not TS01-TS03 as indicated in the Original Proposed Plan, it would be content if the Requirement relating to the River Thurso Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI) was removed. This is because of the distance and a lack of connectivity. The planning authority makes clear that the Developer Requirements for TS04 in both versions of the Plan are intended to apply only to that site. I also note that the Plan's Environmental Report does not identify TS04 as having any impact on the River Thurso SAC and SSSI. In the circumstances, I am satisfied that this Developer Requirement can be deleted from the Plan.

40. I disagree with the contention that the allocation of TS04 in the Plan would mean that any proposed development would automatically be granted planning permission or planning permission in principle (outline). Section 25 of the 1997 Town and Country Planning (Scotland) Act requires the determination of a planning application to be in accordance with the development plan unless material considerations indicate otherwise. In essence, this section allows a planning authority to refuse (or grant) planning permission where material considerations outweigh the requirement to accord with the development plan. Applications for planning permission provide further statutory opportunities for members of the public to lodge comments. These opportunities would extend to masterplans being prepared to accompany applications for major development. Such public engagement is important, and I accept that it should be encouraged and reinforced through the Plan. Similarly, early consultation with the planning authority is necessary. While these conclusions apply specifically to TS04, there are potential consequential implications for other allocations in the Plan. I consider that these matters can best be dealt with in the Plan by changing the definition of a masterplan in the Glossary to require those preparing a masterplan to engage early with the planning

authority and demonstrate that effective and meaningful public consultation has been undertaken.

41. Turning to other matters raised in representations. Archaeological and protected species interests related to TS04 have been considered in the Plan's Environmental Report. I consider that they are adequately protected by the Developer Requirements, which set out a potential need for a programme of archaeological works/mitigation, and require a protected species survey to be undertaken. They are also protected through general policies in the HwLDP (e.g. Policy 57: Natural, Built and Cultural Heritage and Policy 58: Protected Species). I am not persuaded that the concerns expressed about the ground conditions, and the impact of the prevailing wind, undermine the inclusion of TS04 in the Plan. The Environmental Report does not highlight either as a particularly significant issue for the site, and I note that substantial development has already taken place in the immediate surrounding area. I am also satisfied that such matters can be dealt with further at the development brief and masterplanning stages, should either emerge as an issue subsequently.

42. I accept that development of TS04 may result in private views from some houses being affected. However this, in itself, could not properly warrant the removal of the site from the Plan. Additionally, and bearing in mind the nature of the changes I recommend below to the Developer Requirements, I am satisfied that the Plan contains safeguards seeking to protect the general residential amenity of existing housing. I can see no meaningful evidence to support the assertion that alternative sites have been unjustly eliminated. The planning authority has undertaken a methodical site assessment process through the MIR and the Plan's Environmental Report, and has reasonably concluded that TS04 is an appropriate site to include in the Plan. The Enforcement of the Developer Requirements in the Plan is a matter for the planning authority to deal with at the stage when detailed proposals are being prepared and planning applications assessed. The Plan can do no more than set out the Developer Requirements. Enforcement of them is a matter which falls outwith the scope of the Examination.

43. I agree with the planning authority that the types social issues arising from large scale, single tenure housing estates are less likely to arise now because the policy framework in place (e.g. SPP and HwLDP Policy 29: Design Quality and Place Making) emphasises the creation of sustainable, mixed tenure communities, comprising a mix of house types and reasonable access to facilities and amenities. While general concerns have been raised about the traffic impact of TS04 on the existing built up area (particularly Pennyland Drive, Ormlie Road, and Provost Cormack Drive), the roads authority has not indicated that the local road network would be unable to accommodate the additional traffic generated by the proposed phased development. The Developer Requirements also set out a need for a Transport Assessment, which would consider the traffic impacts of the proposals in more detail, assess any roads options, and put forward mitigation measures. In the circumstances, I do not believe that these general concerns justify the removal of TS04 from the Plan.

44. I note the comments from Scottish Water about identifying potential non-domestic usages, and the requirements for the report accompanying the contamination survey. Both matters are between Scottish Water and the developers of TS04, and neither is a concern for the Plan.

45. I have considered all the matters raised, including possible future protection of the Pennyland turning area and the alleged efforts made to entice the Asda proposal from the

Mart site, but find none that outweigh the considerations on which my conclusions are based.

46. Overall, adjustments are required to the Plan, as set out below.

Reporter's recommendations:

I recommend that the following modifications be made:

Thurso West Distributor/Relief Road

1. Under the Thurso section of the Caithness Settlements (Settlement Map), page 41, outwith the boundaries of Thurso West (TS04), adjust the Indicative Road lines shown between the B874 and the A836, and the A836 and A9, by changing the black dashed lines with arrows to black dashed and dotted lines with arrows.

2. Under the Thurso section of the Caithness Settlements (Settlement Map), page 41, adjust the Indicative Road lines shown between the B874 and the A9 to the south, by deleting the black dashed line with arrows, and inserting 2 short sections of black dashed and dotted lines with arrows, one next to the B874 and the other next to the A9.

3. Under the Thurso section of the Caithness Settlements, page 33, adjust the Legend (Paths and Access), by inserting a new category of a black dashed and dotted line with arrows, and an associated legend of Long Term Potential Distributor/Relief Road Routes.

4. Under the Thurso section of the Caithness Settlements, page 34, divide paragraph 112 into 2 new paragraphs (appropriately numbered) to read:

"… Strategic transport improvements have been a priority in Thurso for several decades. Traffic congestion in the central area is a major problem at certain times and is exacerbated by there only being one river crossing. HGVs often struggle to travel through the town centre's narrow streets and sharp corners, particularly while transporting large haulage items. The Council considers that improvements to the road network are vital to unlocking the full potential for development sites and job creation at Scrabster and the business and industrial parks.

…The Plans for expansion of the town to the west present an ideal opportunity to deliver at least some improved transport infrastructure. In particular, a local distributor/link road, funded by developer contributions, will be provided between Ormlie, Pennyland and Upper Burnside as a part of the development of Thurso West (TS04). This road requires to be capable of upgrade because, in the long term, it could potentially be extended to form a distributor/relief road around the western edge of Thurso, which would connect to the A9 north and south of the town, crossing the A836, the B874, the railway, and the river. There are 2 options for such a route, one to the west of Thurso Business Park, which emerged from the Thurso Charrette, and the other through Thurso West (TS04), which is proposed in the 2003 Thurso Western Expansion Area Development Brief and the previous Local Plan. At present, there is no funding commitment for such a distributor/relief road, or support from Transport Scotland, but its provision is an aspiration of the Council."

5. Under the Thurso section of the Caithness Settlements, page 37, adjust the 8th clause of the Developer Requirements to read:

"…Transport Assessment including single, shared access taken from A836 to form local distributor/link road within TS04, with capability of upgrading to distributor/relief road status;…"

6. Under the Thurso section of the Caithness Settlements, page 34, add a sentence at the end of paragraph 113 (appropriately numbered) to read:

"…Similarly, any future proposal for a crossing over the River Thurso as a part of a distributor/relief road would also be required to demonstrate that there would be no adverse effect on the integrity of the SAC [through submission of a satisfactory Construction Environmental Management Plan [including pollution prevention])."

Thurso West (TS04)

7. Under the Thurso section of the Caithness Settlements, page 37, delete the 4th clause of the Developer Requirements (which relates to the provision of up to 20 houses west of Pennyland House) so that the area concerned can be included as part of the long term site east of the proposed filling station.

8. Under the Thurso section of the Caithness Settlements, page 37, adjust the 5th clause of the Developer Requirements to read:

"…Additional long term potential for low level/low density housing development and amenity openspace east of proposed petrol station (to be treated as a long term site as per the definition in the Glossary);…"

9. Under the Thurso section of the Caithness Settlements, page 37, adjust the 7th clause of the Developer Requirements to read:

"…Potential for additional long term housing to the west of Wolf Burn (to be treated as a long term site as per the definition in the Glossary);…

10. Under the Thurso section of the Caithness Settlements, page 37, adjust the 11th clause of the Developer Requirements to read:

"…At least a 40 metre amenity/openspace corridor alongside the A836/A9;…"

11. Under the Thurso section of the Caithness Settlements, page 41, adjust the Settlement Map by extending the designation Expansion of Green Network along the full length of the southern boundary of the land east of the proposed filling station (i.e. from the western part of Brims Road, Hoy Place and Rockwell Crescent along to the eastern part of Brims Road and Forrs Road).

12. Under the Thurso section of the Caithness Settlements, page 41, adjust the Settlement Map by extending TS04 southwards to include an area on its south western boundary as shown on Attachment 15 of the planning authority's response to FIR 08 (i.e. the area coloured yellow)(for the avoidance of doubt, the designated Expansion of Green Network area shown at this location in the Plan must be retained in full even though part of it will now be included in the extended TS04), and amend the settlement boundary

accordingly.

13. Under the Thurso section of the Caithness Settlements, page 37, add the following new clause to the Developer Requirements for TS04:

"…Sensitive siting and design to safeguard residential amenity."

14. Under the Thurso section of the Caithness Settlements, page 37, add the following new clause to the Developer Requirements for TS04:

"…The Wolf Burn should be protected by a 25 metre development exclusion buffer. Note that discharges to this watercourse are unlikely to be acceptable."

15. Under the Glossary in Appendix 2, page 126, add the following new sentence at the end of the definition for a Masterplan:

"…Those preparing masterplans should engage with the Council from the outset and should demonstrate that they have undertaken effective and meaningful public consultation, which has informed the content of the masterplan."

16. Under the Thurso section of the Caithness Settlements, page 37, remove the penultimate Developer Requirement for TS04 relating to the River Thurso Special Area of Conservation and Site of Special Scientific Interest.

Issue 12	**Thurso Sites TS12 and TS14**	
Development plan reference:	Thurso - TS12 and TS14	**Reporter:** Dilwyn Thomas

Body or person(s) submitting a representation raising the issue (including reference number):

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Michael Bowden (980202)
Michelle Fraser (979884)
Nick Russel (979216)
Park Hotel (980293)
Pennyland House B&B (971783
Phyllis Nicol (980599)
Rebecca Paterson (979904)
Robert Falconer (980046)
Ronald Paterson (979807)
Sean Miller (980259)
SEPA (906306)
Sheena Mclachlan (960835)
Sinclair Manson (975023)
SNH (909933)
St Clair Hotel (980003)
Station Hotel (980280)
Stephen Anderson (983269)
Steven Grant (980189)
Stuart Andrew (980221)
Stuart Liddle (980236)
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Ryan Wade (MPP1033508)
Samantha Angus (MPP1034517)

Alison Henderson (MPP1033471) Alison MacAdie (MPP1034158) Allan Sutherland (MPP1032228) Amanda Gunn (MPP980290) Amelia Mackay (MPP1032516) Amelia Walker (MPP931321) Andrew Adamson (MPP1033812) Andrew Hare (MPP1033535) Andrew Martin (MPP1034735) Angus Cowap (MPP970363) Angus Mackay (MPP1034300) Anna Wilson (MPP1034499) Ben Gordon (MPP1034569) Bruce McConnell (MPP1031719) Carol Lobban (MPP1034177) Carol Paterson (MPP979637) Cartwright (MPP979956) Catherine Murray (MPP1033682) Catherine Stewart (MPP1034231) Charles Henderson (MPP1033480) Chelsey Trueman (MPP1034446) Claire Cairns (MPP1034178) Claire Mclean (MPP1034634) Clive Meikle (MPP980256) Colette Kidd (MPP1034715) Colin McLean (MPP1034744) Colin Paterson (MPP979739) Connie Doyle (MPP1034730)	Samantha Lovett (MPP1037485) Sandra Isabelle Harris (MPP1034546) Sasha Carroll (MPP1032647) Sean Miller (MPP1033482) Sharon Lennie (MPP1032200) Sharon Smith (MPP1034572) St Clair Hotel (MPP980003) Stephanie Whelan (MPP1034173) Steven Grant (MPP980189) Steven MacDonald (MPP1032713) Steven Reid (MPP1032948) Stuart Andrew (MPP980221) Tanya Sutherland (MPP979994) The Pentland Hotel (MPP979985) Thomas Watters (MPP1034436) Thurso Bay Trading Co (MPP980395) Tony Carroll (MPP1034724) Val Ashpool (MPP1034162) Valerie Moseley (MPP1031843) Veronica Mackay (MPP1033807) William Arif (MPP1033711) William James Stewart (MPP1034252) William Lipka (MPP1034146) William Miskelly (MPP1033534) William Steven (MPP1033802) William Urquhart (MPP1034181) William Walker (MPP979718) Yasemin Turanli (MPP1033545) Yvonne Martin (MPP1033504) Zoe Kerr (MPP1034727)
Provision of the development plan to which the issue relates:	TS12 and TS14 ** Please note that this part of the Plan was subject to notifiable modifications, specifically the removal sites TS12 and TS14 from the Plan and the consequential removal of reference within paragraph 109.*

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

Representation to the Proposed Plan (January 2016)

William Walker (979718), Ian Walker (979716), David Doohan (980228), Amelia Walker (931321), Michael Bowden (980202), Stuart Liddle (980236), Stephen Anderson (983269), Sheena Mclachlan (960835), Walter Mclachlan (979427) - Objects to the inclusion of TS12 for Community uses for one or more of the following reasons:

- Weather conditions would be a constant issue for the maintenance of any landscaping which would result in a high financial burden.
- The area should be protected from any development.
- Key finding from the Charrette Report page 68 states "Working from the Thurso Bay out to the countryside, the wider masterplan starts with the designated open amenity area at the cliff top that bounds the A9 to the north. It is considered that this

land should remain open as part of the setting of the town, aspect and prospect, and as part of the open aspect to Thurso Bay as the town is approached from the west." This land should remain open aspect.
- The views over Thurso Bay should be protected.
- It will add to the coalescence of Thurso and Burnside.
- The Main Issues Report stated it would "Safeguard land for open amenity". Respondent questions why this has changed.
- There is no need for a public park in this area. It will not get used by local residents.
- The park area has only been added to enhance the Plan.

Kenneth Nicol (977530), Rebecca Paterson (979904), Don Mackay (979822), Marjory Lord (980210), Thurso Bay Trading Co (980395) - Supports the allocation for Community/Public Park for one or more of the following reasons:

- Will be of benefit to the community.
- Preserve the view out over Thurso Bay.
- Will form part of future development plans for the area.

Pennyland House B&B (MPP971783) - Supports the proposal for a public park as it would make more of one of the town's greatest assets by allowing people to enjoy the area rather than simply drive past it. As a local B&B owner she knows there is demand for greater number of quality bed spaces. There is also the new 'North Coast 500' tourist route which has really taken off and has introduced more tourists to the area and Thurso as a stopover.

Alastair Chisholm Christie (980596) - There is an attractive structure built (near Burnside) by the late George Wylie. It was without using mortar yet manages to stand up to the frequent gales in the area. Unfortunately, it is almost hidden by an overgrowth of weeds. When plans are being drawn up for this area this structure should be given a prominent position for all to see.

SNH (909933), Ian Walker (979716), David Doohan (980228) - Similar to TS04, the text for allocation TS12 also refers to TS01 – 03, which is also confusing. The text would benefit from revision to refer only to TS12/make it clear why reference to TS01 – 03 is being made.

<u>TS14 – Land West of Caravan Park</u>

Alan Loomes (980235), Lee MacDougall (980312), Jane Foster (980307), Margaret Smedley (930596), Lee Parnell (979688), Sheena Mclachlan (960835), Jane Telfer (979224), Jacqueline Ridgley (930800), Timothy Ridgley (979979), Anthony Ridgley (979975), The Pentland Hotel (979985), Tanya Sutherland (979994), Walter Mclachlan (979427), St Clair Hotel (980003), William Walker (979718), Marjory Lord (980210), Ian Walker (979716), Jason Ridgley (980223), David Doohan (980228), Kenneth Nicol (977530), Amelia Walker (931321), Colin MacDonald (980226), Station Hotel (980280), Cecilia Brands (979454), Kirsten Murray (979696), Michelle Fraser (979884), Fiona Doohan (980015), Jill Falconer (979729), Karen Risbridger (980206), Robert Falconer (980046), Stuart Liddle (980236), Alastair Chisholm Christie (980596), Phyllis Nicol (980599), Tom Jackson (981229), Louise Smith-Dasar (981718), Donald Mackay (981995), Carol Murray (983145), Linsey MacDougall (980035), Kathleen Faulds (983151), John Faulds (983248), George Mitchell (983251), Lindsay Kay (983250),

Amanda Robertson (983266), Stephen Anderson (983269), Lyndall Leet (983272), Cynthia Calder (980214), Danny Calder (983991), Andrew Fraser (983996), Sinclair Manson (975023), David Lord (1069719) - Objects to the inclusion of TS14 for one or more of the following reasons:

Planning history

- The hotel proposal on the site has been dismissed by Government Reporters previously (1994, 1996, 2001 and 2007) and the circumstances have not changed since. One Reporter, in reasons for rejection stated "*approval of the proposal would represent an unacceptable intrusion into an area of established character and identity*" and goes on to say "*a precedent would also be set for the development of the remaining area between Thurso and Burnside."* Claims in the PDI Report from Nov 2015 that previous PLIs were not relevant to the decision today are disputed as they were site specific not site comparisons as stated. Decisions made against the proposal should remain no matter how many years pass.
- It will lead to the coalescence of Thurso and Burnside which has been a defining factor in previous PLIs and there is a presumption against it in planning decisions today.
- It was a flawed approach to base the planning strategy on the outcome of a charrette. Most Thurso residents had no idea this was taking place and were unaware of the likely impact on the drawing up of a new local Plan.

Economic issues

- There is no demand for further hotels in the area. There are 8 hotels in Thurso (with 2 closing during the winter months) and several luxury hotels in the wider area. Many of the existing hotels are currently for sale and currently operate on a seasonal basis. One hotel is in the centre of Thurso and is in a poor state of repair. This should be rectified before a new hotel is built.
- Creation of another hotel would result in at least one of the existing hotels going out of business causing another empty building in the town centre. This would then have an adverse impact on the tourism market.
- Whether it is a high quality hotel or a budget hotel the impact would be the same on the existing businesses. The existing businesses should be supported not destroyed.
- The reported upsurge in demand for hotel accommodation in Caithness is only temporary and linked to current construction projects such as energy related developments.
- A high quality hotel on its own does not attract tourists. It is other attractions such as the attractiveness of the town, scenery and landscapes.
- The proposals for a high quality hotel with spa would result in a decrease in tourism to the town. It would encourage people to stay within the facility and not venture into the town. It would damage the landscape which people come to see.
- The adjacent uses to the site (caravan park, supermarket and disused commercial unit) do not lend themselves to the setting of a luxury hotel.
- The allocation for a hotel contradicts Policy 1 of CaSPlan, Town Centres First. There are existing hotels/sites within the town centre where development and investment should be directed.
- New hotel developments tend to be located close to business parks rather than in very prominent locations such as TS15, e.g. near Thurso Business Park or the former mart site TS05.

- The landowner had planning permission to convert the former steading but it has been left to fall into disrepair.
- The proposal for the hotel, spa and park are not financially viable. The landowner has expressed that to help fund the hotel development a housing development on land west of Pennyland House is needed.

Environmental issues

- The view across Thurso Bay towards the Orkney Islands is one of Thurso's outstanding features and presents an attractive gateway into the town. The landscape will be darkened by the building and the open views to the west and to Dunnet Head, a beautiful feature of Caithness, will be largely blocked. It would be a clear breach of Highland Council declared policy on land providing open views to seascapes.
- The MIR stated it would "Safeguard (the TS14) for open amenity". Questions why this has changed.
- Despite the developer requirement for sensitive siting and design, any development on the site would have a massive adverse impact on the landscape. Concerns expressed over the height proposed when it comes to planning application stage.
- It is too close to the cliff edge with unstable ground conditions and which is constantly being eroded. The rock formation around the site is sensitive and should not be jeopardised by development. The following is a quote from the "Coastal Planning" paper (page 9) from the Scottish Office(Aug 1997) "*Development which does not require a coastal location shall not be permitted on the coast*". TS14 should therefore be permanently protected.
- A key finding from the 'Charrette' page 68 states '*Working from the Thurso Bay out to the countryside, the wider masterplan starts with the designated open amenity area at the cliff top that bounds the A9 to the north'*. It is considered that this land should remain open as part of the setting of the town, aspect and prospect, and as part of the open aspect to Thurso Bay as the town is approached from the west. We should not be building on important greenfield sites if there is no need to.
- Information from a local RSPB representative states that Curlews are nesting in this particular field. The two fields on Pennyland Farm, which are adjacent to the Victoria Walk are important wintering areas for Curlew and as such should not be considered for development. The Curlew has recently been given Red List Status because of its dramatic decline in numbers and some experts consider that it may be heading for extinction unless a concerted effort is made to halt this decline. Loss of habitat is the most serious threat to these birds and even a small site such as this is important in maintaining and stabilising this population.
- There is enough justification for the land at Pennyland to be given Special Landscape Area (SLA) status.
- There is a nearby residential care home and the building of a hotel on TS14 would adversely impact on the elderly residents.
- Drainage issues should be addressed as heavy rain showers result in water running over Victoria Walk and causing large puddles.

SEPA (906306) - The boundary of the site is adjacent to the Coastal Flood Map and there is a small watercourse adjacent to the site. Parts of the site are therefore at risk of flooding. As a result we object unless the following developer requirement text is added: "Flood Risk Assessment (no development in areas shown to be at risk of flooding)." This amendment will help protect people and property from flood risk and ensure (1) compliance with the flood risk avoidance position in paragraphs 255 and 263 of Scottish

Planning Policy, (2) that developers are aware that flood risk may be a constraint on development of part of the site which will assist in delivery in line with Scottish Planning Policy paragraph 30, which states that “Development plans should:…set out a spatial strategy which is both sustainable and deliverable, providing confidence to stakeholders that the outcomes can be achievable” and (3) ensure that developer requirements for all sites thought to be at risk of flooding are dealt with consistently throughout the plan. This advice is also in line with the Flood Risk Management (Scotland) Act 2009 which places responsibility on the Scottish Government, SEPA, Scottish Water and local authorities to exercise their flood risk related functions with a view to reducing overall flood risk.

Caithness Chamber of Commerce (CCC) (983321) - CCC object to the allocation of TS14 for a hotel development. They are concerned that this may have a negative impact on existing businesses in the region. CCC feel it is important to get a better understanding of the potential demand for hotel rooms in the area before any additional development is approved. CCC note that Highlands and Islands Enterprise are currently carrying out a study on accommodation needs in Caithness, and would urge the Highland Council to hold off on any decision relating to this matter until the results of this study are available.

Janetta Christie (975843) - Not opposed to the development of a new hotel (if it is really needed) but respondent objects to the positioning of it, i.e. near the cliff edge.

Park Hotel (980293) - The hotelier does not in theory object to the provision of more hotel rooms in Thurso but does have reservations that after the land is designated as having planning permission for a hotel to be erected it will end up in the hands of a large hotel chain. This won't have the effect of providing any more jobs in the town as it will simply 'replace' other hotels. This in turn may lead to a large vacant building somewhere else in the town. If there were some kind of guarantee of a "quality" hotel then respondent would not have any objection. If a mass produced hotel were to pop up on this site then all it would lead to is further rate depression in Thurso, which in turn would lead to cost cutting by hoteliers. The single biggest cost in hospitality? Staff. Easy to see where the cost cutting would arise.

Amelia Walker (931321) - It is strange that the designations of all the sites in Thurso have more or less remained as they were in the MIR, apart from the areas at Pennyland. To specifically state where a hotel, houses and a filling station are to be located, is tantamount to handing outline planning permission to the developer. The general public could comment on the size, shape etc., of the hotel, but they cannot say there should be NO hotel as the plan determines the area.

London and Scottish Investments Ltd (979770) - The owners of the mart site (TS05) object to the allocation of TS14 for a hotel and argue that TS05 presents a better site for a hotel as it is a brownfield site which is adjacent to the train station. TS14 is a prominent coastal greenfield site which is detached from the town centre.

The Pentland Hotel (979985) - Operator of The Pentland Hotel in Thurso wholeheartedly agrees with one of the Plans main aims in improving the tourism experience however disagreed that a hotel at TS14 would achieve this objective. Respondent agrees that the development of John O'Groats and the success of our North Coast 500 have helped to move the offering for tourists visiting the area forward but it does not equate to the plan of building a 55 bedroom hotel in a town where there is a rich offering of accommodation, where two hotels cannot make profit in the winter months to warrant staying open. The Royal Hotel has a 50% occupancy in 2014 and 57% in 2015, no hotel occupier would be

willing to invest in a new hotel at these levels and the challenges extra bedspace in the market would bring. The other hotel that closes is the St Clair and they monitor the business levels closely as they operate the Station Hotel in Thurso and would be well placed to open the St Clair if there was enough sustained demand. Believe the development of a new hotel in Thurso would pose a serious threat to the existence of at least one of our town's hotels if not two. At these occupancy levels it would be unsustainable and a new hotel will not bring more tourists. Hotels alone do not bring extras visitors to an area. The proposal would be anti competitive rather than fostering keen competition. If a brand new hotel comes into a saturated market and cannot achieve its target of attracting luxury guests to enjoy its expensive offering it will reset its target market to a lower spend market and would achieve this target as it would offer better value for the guest's pound so it would then be competing in the lower end of the hotel sector. This would result in more empty properties in the town centre and contradict the aim of the town centre first policy. Respondent claims neither him nor Visit Scotland can identify the reference in paragraph 109 to need for quality hotels in Caithness. Ackergill Tower, which is a luxury 5 star hotel, has dwindling occupancy, cannot make a sufficient profit and is currently also on the market. Respondent seeks clarification on the definition of a 'quality' hotel.

The hotel operator is concerned for the viability of the business which he has recently invested in. As a Caithnessian and a tourist professional he has worked hard to improve the quality of the experience the visitor gets when coming to this beautiful area of the Highlands but this is not a proposal that does this, it is a proposal that jeopardises livelihoods, Thurso town centre, the quality of living for local residents and a gorgeous greenfield site that has a long history of being an asset to Thurso.

George Mitchell (983251) - Opposed to the allocation but if it gets approved then any building should be located close to the A9 and not by the cliff.

Amanda Gunn (980290), Ian Mackay (978586), Fiona Mackie (978748), Nick Russel (979216), Carol Paterson (979637), Colin Paterson (979739), Don Mackay (979822), Rebecca Paterson (979904), Katelin Mackenzie (979954), Dean Craig (980100), Jamie Henderson (980168), Steven Grant (980189), Pennyland House B&B (971783), Grant Maxwell (979898), Stuart Andrew (980221), Eilidh Paterson (980233), Willie Steven (980239), Sean Miller (980259), Caroline Steven (980245), Andrew Bremner (980248), Gayle Rennie (980274), Ronald Paterson (979807), Derek Taylor (980213), Alan Ritchie (980220) - Supports the inclusion of TS14 for one or more of the following reasons:

- There are not enough bed spaces in the town during the peak tourist season. There is a demand for better quality business/conference space.
- A new hotel would attract more people and encourage people to stay in the town and county. Lodges and a leisure spa would cater for different markets than just the hotel further attracting people to the area.
- As someone working in local hospitality, the respondent states there is a chronic shortage of quality accommodation for visitors in Thurso.
- Tourism is becoming increasingly recognised as a key component of the economy.
- It is an ideal site for a high quality hotel and lodges.
- If the hotel was high quality, sensitively designed, low level and does not obscure the view of Thurso Bay is would be a real asset to the town. A low level design with a grass roof is important to minimise the visual impact of the building. The town needs development such as this to progress and to deliver the vision set out in CaSPlan.

- It should have been allocated in the previous local plan.
- Good infrastructure and amenities attract inward investment and so then create jobs - not the other way around.
- Improvements to Victoria Walk would be beneficial.

Pennyland House B&B (971783) - As a local B&B owner, respondent knows the there is demand for greater number of quality bed spaces. There is also the new 'North Coast 500' tourist route which has really taken off and has introduced more tourists to the area and Thurso as a stopover.

Thurso Bay Trading Co (980395) - The landowner states that the points raised in the submission to the MIR are still relevant. Respondent refers to social media and Caithness.org forums to highlight public comment on the proposals. The Council understands the importance of tourism to the future of the town. This site is within easy walking distance of the town centre and will be "open" for all to use, tourist and resident alike. The hotel facilities and public park will make this area the lungs of the town. A fantastic site for the proposed uses. It's an "amenity" at present only enjoyed by a few walkers, passing traffic and some sheep. Visit Scotland's tourism strategy identifies the need for more quality "hotels" in Caithness.

Representation to the Modified Proposed Plan (September 2016)

Thurso Bay Trading Co (MPP980395) - The landowner of TS12 and TS14 objects to the removal of the sites from the Plan.

The agent, on behalf of the landowner, states that the Caithness Area Committee subsequently decided at its meeting on 31 August 2016 to remove the two sites, against the recommendation of Highland Council Planning Officers, without referring to any representations or to consultation responses (absent in the Minutes) and without recording any specific reasons for doing so (absent from the Minutes). Many of the discussion points raised by Councillors within these Minutes had already been fully addressed within the Planning Officers' Report (August 2016), within Appendix A.

They now fully support, and highlight as relevant, the Planning Officers' recommendation and analysis set out at pages 93-95 and 131-135 of Appendix A, as well as the Reports relating to tourism referred to therein by Visit Scotland (2013) and Highlands and Islands Enterprise (2011).

The landowner requests that the points raised in previous representations are considered as they are still relevant. These focused on: Thurso Charrette providing a good basis for CaSPlan; community debate on and general support of the sites over recent years; mix of housing, commercial and greenspaces providing a long term strategy for the town; and commercial interest in the proposals. Previous representations have successfully presented the sites as effective and deliverable, with an appropriate level of material submitted to support an allocation in the LDP.

Both sites are considered to be good opportunities (through their allocation in the Plan) to deliver and make positive contributions to the future sustainable economic growth of Thurso, creation of new jobs and supporting tourism in the area, as well as to high quality placemaking in Thurso, and to improving the existing green network by providing a new, significant area of public amenity open space as a park located at the seafront and adjacent to the North Coast 500 Route, on land which is not presently accessible to the

public being used privately to graze sheep. This is in accordance with the Sustainability Principal Policy within Scottish Planning Policy (SPP), which states, 'This SPP introduces a presumption in favour of development that contributes to sustainable development…This means that policies and decisions should be guided by the following principles …Improving health and well being by offering opportunities for social interaction and physical activity, including sport and recreation…Protecting, enhancing and promoting access to natural heritage, including green infrastructure, landscape and the wider environment.' (8th and 11th bullet points of paragraph 29, SPP).

Further, they consider that reallocation of sites TS12 and TS14 will directly support the LDP strategy for Thurso which states that it aims to 'maintain its position as the principal market, service and social centre for west and central Caithness and an area reaching into north Sutherland, and strengthen the range of services and facilities which it provides.'

They consider that reallocation of site TS14 for Business (Tourism and Leisure) will provide a clear opportunity towards meeting one of the Plan's main aims which is stated as follows specifically within the Thurso section, 'Improving the tourism experience is one of the Plan's main aims. Although there have been many improvements in Caithness over recent years, such as the redevelopment of John O'Groats and the successful promotion of the North Coast 500, there are many opportunities which still exist.'

The North Coast 500 route passes through Thurso along the A9 Smith Terrace road to the adjacent south of the sites. They consider that Site TS12 community park will directly enhance the environmental amenity along the route enabling public access at a prime seafront location.

Provision of the new park will also contribute towards the Plan's 'Placemaking Priorities' for Thurso, specifically it will help, 'Establish a green network stretching from the coastline at Victoria Walk, through Pennyland and the Ormlie moors and out to a new community woodland north of the golf course.'

Landowner considers that TS14 will enhance the visitor experience and potential hotel accommodation offer along this stretch of the North Coast 500 route, which will in turn supports Thurso town centre.

They consider that the reallocation of sites TS12 and TS14 represent a good example of 'locating the right development in the right place,' which is a clear aspiration of SPP (paragraph 15 of SPP).

They emphasise that matters of siting, design, masterplanning, landscape and visual impact and developer requirements etc (some of the concerns discussed by Councillors at the 31 August 2016 Committee) will be fully addressed and controlled through the Development Management process.

George Mitchell (MPP983251), Steven MacDonald (MPP1032713), Margaret Smedley (MPP930596), William Arif (MPP1033711), Catherine Murray (MPP1033682), Kathleen Faulds (MPP983151), Alison MacAdie (MPP1034158), William James Stewart (MPP1034252), Catherine Stewart (MPP1034231), Angus Mackay (MPP1034300), Georgina Mackenzie (MPP1034374), Ian Walker (MPP979716), William Walker (MPP979718), Elizabeth Lawson (MPP1034442), Hannah Johnston (MPP1034463), Lynne Lynne Glover (MPP1034603), John Faulds (MPP983248), St Clair Hotel (MPP980003), Diana Johnston (MPP1034710), Robert Falconer (MPP980046), Elizabeth

Mackay (MPP1034732), Donald Mackay (MPP981995), Amelia Walker (MPP931321) Royal Hotel (MPP1034816), Tanya Sutherland (MPP979994) The Pentland Hotel (MPP979985), Lyndall Leet (MPP983272), Alastair Chisholm Christie (MPP980596), Janetta Christie (MPP975843), Phyllis Nicol (MPP980599), Amelia Walker (MPP931321), Herbert Lawson (MPP1034148), Royal Hotel (MPP1034816) - Respondents support the non-inclusion of sites TS12 and TS14 and the removal of the reference to it in paragraph 109 for the following reasons:

Economy

- The high hotel occupancy rates experienced in Caithness during 2016 were only due to major infrastructure works and is therefore not sustainable. There are already two high-end hotels in the area (Gills and Forse) and there is not a proven need for more.
- There is no demand for another hotel in Thurso. It would only act to draw staff and customers away from the existing hotels. The creation of a new hotel, whether it be budget or high-end, would likely lead to the closure of at least one existing hotel business in Thurso which would have an adverse impact on the vibrancy of the town centre. Already some hotels close for the winter months and others have been for sale for a long time.
- A hotelier argues that as a Thurso hotel operator who operate on less than 60% occupancy over the year the consent for a new hotel would have seriously jeopardized the business and not benefit the business community in Thurso.
- Top-end hotels are located in secluded areas, not next to business parks and housing schemes.
- A hotel itself does not attract tourists. Thurso needs a different type of attraction.
- There is no expansion space for the well kept business park.

Environment

- The ground near Victoria Walk is not free draining. Sites TS12 & TS14 are very wet near the main road being at the bottom of a steep slope especially at the business park end, where a lake can form in a wet winter.
- These are the last undeveloped areas of the coast between Burnside and Thurso and provide an attractive entrance to the town. These are unparalleled panoramic views and are an important part of the character of the town. Development would destroy the beautiful western approaches.
- Victorian Walk is an important asset of Thurso which is used regularly and should be safeguarded.
- A key finding from the 'Charrette' was that the "wider masterplan starts with designated open amenity area at the cliff top that bounds the A9 to the north. It is considered that this land should remain open as part of the setting of the town, aspect and prospect, and as part of the open aspect to Thurso Bay as the town is approached from the west."
- It will result in ribbon development along the main route to the west would not enhance the entrance into the town from the west.
- There are no details about who is going to maintain the proposed public park.

Planning Issues

- Stating what should go where is tantamount to bypassing the Outline planning

application stage

- There have been 3 public inquiries in respect to this land. In all the reports different reporters state in similar words that the character and amenity of this part of Thurso and of the general wester approaches to the tow will be diminished by any development.
- The Councillors and local community are against development of the sites.

Fiona Mackie (MPP978748), Colin Paterson (MPP979739), Bruce McConnell (MPP1031719), Paula Fisher (MPP1031813), Samantha Lovett (MPP1031902), Mr Angus Cowap (MPPMPP970363), Jeremy Evans (MPPMPP1031927), Ian Westmorland (MPP1031981), Helen Robbie (MPP1032179), Sharon Lennie (MPP1032200), Mr Don Mackay (MPP1032343), Graeme Reid (MPP1032386), Eilidh Paterson (MPP980233), Michael Cowie (MPP1032425), Jack Floydd (MPP1032423) , Iain Black (MPP1032452), Iain Elder (MPP1032459), Valerie Moseley (MPP1031843), Amelia Mackay (MPP1032516), Jamie Mackay (MPP980254), Rebecca Paterson (MPP979904), Abbie Wilson (MPP1032650), Steven Grant (MPP980189), Euan Sinclair (MPP980244), Liam Dykes (MPP1032658), Ross Dignan (MPP1032656), Isaac Johnson (MPP1032661), Carol Paterson (MPP979637), Aaron Taylor (MPP1032694), Eilidh Sinclair Wright (MPP1032760), Ian Ross (MPP1032817), Lucinda Sutherland (MPP1032850), Ian Cannop (MPP1032993), Hamilton (MPP1032492), Steven Reid (MPP1032948), Alison Henderson (MPP1033471), James Henderson (MPP1033472), Allan Sutherland (MPP1032228), Alan Ritchie (MPP980220), Lynsey Mackay (MPP1033501), Yvonne Martin (MPP1033504), Monika Carson (MPP1033507), Ryan Wade (MPP1033508), Sasha Carroll (MPP1032647), Jack Dunnett (MPP1032498), William Miskelly (MPP1033534), Yasemin Turanli (MPP1033545), Andrew Adamson (MPP1033812), Pam Bain (MPP1033586), Sean Miller (MPP1033482), Abbey Sutherland (MPP1033845), Kerry Oag (MPP1033483), Martin Ross (MPP1033522), Amanda Gunn (MPP1033818), Clive Meikle (MPP980256), Reid's of Caithness (MPP1033983), Andrew Hare (MPP1033535), Meghann Ashpool (MPP1034155), Val Ashpool (MPP1034162), Stephanie Whelan (MPP1034173), Jade Baikie (MPP1033831), Gregor Clunie (MPP1034175), Alan Lobban (MPP1034166), Claire Cairns (MPP1034178), Carol Lobban (MPP1034177), Kieran McKenzie (MPP1034174), Nicola Arthur (MPP1034246), William Urquhart (MPP1034181), Chelsey Trueman (MPP1034446), Ian Mackay (MPP1034447), Kim McColm (MPP1034441), Samantha Angus (MPP1034517), Veronica Mackay (MPP1033807), James Henderson (jnr) (MPP1033475), Ben Gordon (MPP1034569), Charles Henderson (MPP1033480), Rachel Dickson (MPP1034576), Cartwright (MPP979956), Laura Davidson (MPP1032852), John Hart (MPP1031794), Adam Cairns Paterson (MPP1034614), Fraser Steven (MPP1033806), Claire Mclean (MPP1034634), Michelle Will (MPP1034160), Mike Lunan (MPP1034651), Nicky Cowie (MPP1034161), Karen Henderson (MPP1034643), Mary Paterson (MPP1034694), Thomas Watters (MPP1034436), Sandra Isabelle Harris (MPP1034546), Derek Taylor (MPP980213), Anna Wilson (MPP1034499), Ian Mackay (MPP978586), Stuart Andrew (MPP980221), William Lipka (MPP1034146), Marlene Lipka (MPP1034152), Colette Kidd (MPP1034715), Ryan Cameron (MPP1034708), Megan Williamson (MPP1034717), Karon MacGregor (MPP1034719), Gordon McConnell (MPP1034718), Tony Carroll (MPP1034724), Zoe Kerr (MPP1034727), Alexander Wilson (MPP1034726), Alan Dykes (MPP1034712), Elizabeth Balfour (MPP1034729), Connie Doyle (MPP1034730), Sharon Smith (MPP1034572), Fiona McLean (MPP1034721), Pennyland House B&B (MPP971783), George Robertson (MPP1034736), Euan Munro (MPP1034728), Andrew Martin (MPP1034735), Marcela McMillan (MPP1034738), Colin McLean (MPP1034744), Carol Paterson (MPP979637), Ellie Spencer (MPP1034530), Jack Drummond (MPP1034747), John McGeachie (MPP1034749), William Steven (MPP1033802), Lauren Robb (MPP1034783), Emily Eadie (MPP1034605), Lynne Reid

(MPP1034346), Kerrie Martin (MPP1034602), P McDonald (MPP1034620), Gillian McGill (MPP1034660), Reece Smith (MPP1032849), Michael Ross (1033524), Jan Mackay (MPP1032499) - Representors object to the removal of sites TS12 and TS14 from the Proposed Plan for one or more of the following reasons:

Economy

- Tourism has been identified as a key growth sector for the regeneration of the area and there are many attractions for visitors which need to be exploited, including the aurora borealis, whisky distillery, LEJOG route, fishing, surfing, cultural heritage and archaeology and natural heritage. Most visitors currently pass through the County on their way to Orkney (reference is made to Rough Guide which advises travellers that Thurso is a jumping off point for the Orkneys).
- Thurso needs to diversify its economy and attract new job opportunities to retain young people and families. Dounreay and Vulcan Naval Reactor Test Establishment (NRTE) are closing in the near future and new job opportunities are needed to prevent an exodus of people from the area. The situation in Annan since Chapel Cross must be avoided.
- There is increasing demand for a new modern hotel, lodge and leisure facility in Thurso and in Caithness. The proposed hotel and park will entice people to stay for an extended period of time in Thurso rather than passing through as they do at present. This would be beneficial to all the other shops and businesses in the area and encourage events and other businesses to Thurso.
- During periods of 2016 there were no spare bedspaces in Thurso and visitors were forced to look for accommodation elsewhere in Caithness or split parties up between hotels across the county. During the peak season booking need to be made months in advance.
- There is a type of visitor that Thurso just does not cater for at present. The quality of visitor accommodation has risen across Scotland over recent years but in Thurso it is still at a relatively low standard.
- Holiday lodges or glamps are becoming an increasingly popular holiday experience.
- The North Coast 500 initiative is a phenomenal success with international press coverage and is resulting in huge numbers of tourists visiting the area with the route passing through the town. The existing visitor accommodation does not meet modern expectations, including in appearance, location, type of accommodation and parking facilities. The existing campsite and static homes on land adjoining TS12/14 is drab, uninviting and an eyesore. Without suitable accommodation the NC500 will lose its appeal to visitors.
- The hotel proposal would attract more people to the town which would benefit local shops and other hotels/guest houses and encourage business start-ups. It will also help to attract business locate/invest in the area. Less reliance of having to travel to Wick for goods/services.
- A new hotel could host weddings and provide a hub for business
- The proposal offers the prospect of new long term jobs being created including apprenticeships within the hospitality industry which would also ties in with the management/hospitality courses at UHI North Highland College in Thurso.
- Another hotel would help to increase competition amongst hotel business and result in higher standards. The current hotel inventory is old fashioned and could put off potential visitors from staying in Thurso.
- Councillors suggested that a suitable site for a hotel would be near the business park. However this would only attract a budget level rather than a high quality hotel.

- The site is in close proximity to the town centre and visitors can use Victoria walk which is an asset to both the proposed hotel and businesses in the town.

Community

- There is widespread community support for the proposal and there has been for many years. Councillors made the wrong decision to remove the sites.
- There is currently a lack of amenities available to people visiting the area.
- The proposal would allow Thurso to re-market itself, breathe new life back into the town, improve the town's image; make the local community proud of Thurso again; represent a step in the right direction of achieving a bigger goal for the area. The opportunity to build a new hotel and public park facilities should not be missed.
- The park would be a great area for multi uses. Creation of a public park would be a great addition to the community and much needed for community events, e.g. Thurso Gala. Its location would also make a great setting for a public park where visitors can stop to enjoy the view. The car park with picnic benches will attract visitors to stop and enjoy the vista and park.
- The main objectors to the proposals are neighbours who do not want any development in Thurso West.
- The Report to Committee was 235 pages in total with many pages of planning argument on the benefits of the hotel and park project for the town and community including a series of Developer Requirements to be met before permission could be granted.
- Concerns that full consideration was not made by the Councillors of the consequences of the decision for the Plan area in terms of the loss of jobs etc. Need for deeper consideration. The minutes of the Committee on the 31st August show that there were not strong reasons for removal of the sites with the point raised being already addressed within the Officer's Recommendations.

Environment

- Thurso's seafront is underused and underutilised. Other sea-side towns in the UK exploit their natural setting with promenades, seafront tourist accommodation, cycle facilities, shops and tourist attractions. Disagreement with the need to protect the 'view' and considers it should be used to generate income for the town like many other countries across the world. The best public place to stop and enjoy the view out over Thurso Bay is a Lidl supermarket carpark.
- This is the perfect location for such a hotel and park. The hotel proposed is well designed, low lying and would not compromise the landscape. It could be an iconic project for the town and raise its profile.
- The area between Scrabster and Castletown has uninterrupted views. There are never any groups of tourists stopped on Olrig Road to admire the view.
- The proposal would not have a significant impact on the view. There will be little if any adverse impact on the view out over Thurso Bay as the site slopes downwards and will allow people to see right over the top of the hotel, especially if it has a flat grass roof.
- Landowner could choose to do anything with his land but is choosing to promote it for visitors.
- The site is in walking distance of the main attractions, including the town centre and beach.
- There is no amenity value at present as the fields are only used for sheep grazing.

- The visual impact from onshore and offshore windfarms (which the respondent supports) will have a significantly greater impact on the coastline than the proposed hotel.

Gary Parker (968625) - Does not object in principle if the height of the building could be restricted, it is well designed and does not affect neighbouring properties during construction.

Modifications sought by those submitting representations:

Modifications sought at Proposed Plan stage

TS12 East of Burnside - SNH (909933), Ian Walker (979716), David Doohan (980228) Amend the Developer Requirements text for the TS12 allocation with regards to reference to sites TS01 – TS03.

Sheena Mclachlan (960835), Walter Mclachlan (979427), William Walker (979718), Ian Walker (979716), David Doohan (980228), Amelia Walker (931321), Michael Bowden (980202), Stuart Liddle (980236), Stephen Anderson (983269) - Removal of allocation TS12 from the Plan.

TS14 Land West of Caravan Park for Business

Alan Loomes (980235), Lee MacDougall (980312), Jane Foster (980307), Margaret Smedley (930596), Lee Parnell (979688), Sheena Mclachlan (960835), Jane Telfer (979224), Jacqueline Ridgley (930800), Timothy Ridgley (979979), Anthony Ridgley (979975), The Pentland Hotel (979985), Tanya Sutherland (979994), Walter Mclachlan (979427), St Clair Hotel (980003), William Walker (979718), Marjory Lord (980210), Ian Walker (979716), Jason Ridgley (980223), David Doohan (980228), Kenneth Nicol (977530), Amelia Walker (931321), Colin MacDonald (980226), Station Hotel (980280), Cecilia Brands (979454), Kirsten Murray (979696), Michelle Fraser (979884), Fiona Doohan (980015), Jill Falconer (979729), Karen Risbridger (980206), Robert Falconer (980046), Stuart Liddle (980236), Alastair Chisholm Christie (980596), Phyllis Nicol (980599), Tom Jackson (981229), Louise Smith-Dasar (981718), Donald Mackay (981995), Carol Murray (983145), Linsey MacDougall (980035), Kathleen Faulds (983151), John Faulds (983248), George Mitchell (983251), Lindsay Kay (983250), Amanda Robertson (983266), Stephen Anderson (983269), Lyndall Leet (983272), Cynthia Calder (980214), Danny Calder (983991), Andrew Fraser (983996), Caithness Chamber of Commerce (CCC) (983321), London and Scottish Investments Ltd (979770), David Lord (1069719) - Removal of allocation TS14 from the Plan. Some respondents requested that the area should be safeguarded as Greenspace.

Janetta Christie (975843), George Mitchell (983251) - Requests that if allocated then the hotel be positioned close to the road and not by the cliff edge.

SEPA (906306) - Add the following as a Developer Requirement “Flood Risk Assessment (no development in areas shown to be at risk of flooding).”

Modifications sought at Modified Proposed Plan stage

TS12 East of Burnside for Community and TS14 - Land West of Caravan Park for Business

Fiona Mackie (MPP978748), Colin Paterson (MPP979739), Bruce McConnell (MPP1031719), Paula Fisher (MPP1031813), Samantha Lovett (MPP1031902), Angus Cowap (MPP970363), Jeremy Evans (MPP1031927), Ian Westmorland (MPP1031981), Helen Robbie (MPP1032179), Sharon Lennie (MPP1032200), Don Mackay (MPP1032343), Graeme Reid (MPP1032386), Eilidh Paterson (MPP980233), Michael Cowie (MPP1032425), Jack Floydd (MPP1032423) , Iain Black (MPP1032452), Iain Elder (MPP1032459), Valerie Moseley (MPP1031843), Amelia Mackay (MPP1032516), Jamie Mackay (MPP980254), Rebecca Paterson (MPP979904), Abbie Wilson (MPP1032650), Steven Grant (MPP980189), Euan Sinclair (MPP980244), Liam Dykes (MPP1032658), Ross Dignan (MPP1032656), Isaac Johnson (MPP1032661), Carol Paterson (MPP979637), Aaron Taylor (MPP1032694), Eilidh Sinclair Wright (MPP1032760), Ian Ross (MPP1032817), Lucinda Sutherland (MPP1032850), Ian Cannop (MPP1032993), Hamilton (MPP1032492), Steven Reid (MPP1032948), Alison Henderson (MPP1033471), James Henderson (MPP1033472), Allan Sutherland (MPP1032228), Alan Ritchie (MPP980220), Lynsey Mackay (MPP1033501), Yvonne Martin (MPP1033504), Monika Carson (MPP1033507), Ryan Wade (MPP1033508), Sasha Carroll (MPP1032647), Jack Dunnett (MPP1032498), William Miskelly (MPP1033534), Yasemin Turanli (MPP1033545), Andrew Adamson (MPP1033812), Pam Bain (MPP1033586), Sean Miller (MPP1033482), Abbey Sutherland (MPP1033845), Kerry Oag (MPP1033483), Martin Ross (MPP1033522), Amanda Gunn (MPP1033818), Clive Meikle (MPP980256), Reid's of Caithness (MPP1033983), Andrew Hare (MPP1033535), Meghann Ashpool (MPP1034155), Val Ashpool (MPP1034162), Stephanie Whelan (MPP1034173), Jade Baikie (MPP1033831), Gregor Clunie (MPP1034175), Alan Lobban (MPP1034166), Claire Cairns (MPP1034178), Carol Lobban (MPP1034177), Kieran McKenzie (MPP1034174), Nicola Arthur (MPP1034246), William Urquhart (MPP1034181), Chelsey Trueman (MPP1034446), Ian Mackay (MPP1034447), Kim McColm (MPP1034441), Samantha Angus (MPP1034517), Veronica Mackay (MPP1033807), James Henderson (jnr) (MPP1033475), Ben Gordon (MPP1034569), Charles Henderson (MPP1033480), Rachel Dickson (MPP1034576), Cartwright (MPP979956), Laura Davidson (MPP1032852), John Hart (MPP1031794), Adam Cairns Paterson (MPP1034614), Fraser Steven (MPP1033806), Claire Mclean (MPP1034634), Michelle Will (MPP1034160), Mike Lunan (MPP1034651), Nicky Cowie (MPP1034161), Karen Henderson (MPP1034643), Mary Paterson (MPP1034694), Thomas Watters (MPP1034436), Sandra Isabelle Harris (MPP1034546), Derek Taylor (MPP980213), Anna Wilson (MPP1034499), Ian Mackay (MPP978586), Stuart Andrew (MPP980221), William Lipka (MPP1034146), Marlene Lipka (MPP1034152), Colette Kidd (MPP1034715), Ryan Cameron (MPP1034708), Megan Williamson (MPP1034717), Karon MacGregor (MPP1034719), Gordon McConnell (MPP1034718), Tony Carroll (MPP1034724), Zoe Kerr (MPP1034727), Alexander Wilson (MPP1034726), Alan Dykes (MPP1034712), Elizabeth Balfour (MPP1034729), Connie Doyle (MPP1034730), Miss Sharon Smith (MPP1034572), Fiona McLean (MPP1034721), Pennyland House B&B (MPP971783), George Robertson (MPP1034736), Euan Munro (MPP1034728), Andrew Martin (MPP1034735), Marcela McMillan (MPP1034738), Colin McLean (MPP1034744), Carol Paterson (MPP979637), Ellie Spencer (MPP1034530), Jack Drummond (MPP1034747), John McGeachie (MPP1034749), William Steven (MPP1033802), Lauren Robb (MPP1034783), Emily Eadie (MPP1034605), Lynne Reid (MPP1034346), Miss Kerrie Martin (MPP1034602), P McDonald (MPP1034620), Gillian McGill (MPP1034660), Samantha Lovett (MPP1037485), Jan Mackay (MPP1032499) - Re-allocate sites TS12 East of Burnside for Community (public park) and TS14 Land West of Caravan Park for Business (Tourism and Leisure).

Summary of responses (including reasons) by planning authority:

Planning Authority's consideration of the representations on the Proposed Plan in August 2016

TS12 East of Burnside for Community and TS14 Land West of Caravan Park for Business

Comments in support of the allocation TS12 East of Burnside were noted, including: the benefits a public park could bring to the community and provide for a rise in tourists, ensuring that part of the vista over Thurso Bay is preserved and that it forms part of a wider vision for Thurso.

Comments in support of the allocation TS14 Land West of Caravan Park were noted including: the continuing growth in the tourism industry; demand for additional higher quality tourist accommodation and business/conference space; an appropriately designed building could fit well on the site and be an asset to the town; the hotel creating employment opportunities; and it close to the town centre.

In respect of issues raised relating to the planning history of sites at Pennyland and the coalescence between Thurso and Burnside see the response to site allocation TS04 within Issue 11 Thurso West.

In respect to issues raised in regard to the role of the tourism industry, the hotel market in Caithness and the implications of allocating land for a new hotel in Thurso see Issue 10 Thurso.

Role of the Charrette

The Council disputes that not enough was done to publicise the Charrette and its role in the preparation of the Plan. The Charrette was intended to provide an additional means of gaining community involvement in the early stages of the preparation of the local development plan. It provided a chance for local people to shape the future of their community and aimed at reaching consensus over preferred and alternative land use strategies to feed into the CaSPlan Main Issues Report (MIR). The Council and the consultant team adopted a range of methods to publicise the charrettes. Event invitations were distributed to various people and provided supplies of leaflets at key locations. The events were advertised in local newspapers and banners, posters and leaflets were displayed at key locations within the town. Meetings were also held with local community groups and other key stakeholders in the lead up the event. Local schools, the North Highland College (UHI) and members of the Highland Youth Voice and Scottish Youth Parliament were also targeted. As a result the Council continue to believe that the outcomes of the Charrette are appropriate to form a strong basis for the strategy in the Plan.

Concerns regarding the apparent change in position from that shown in the Charrette Report (CD25) were noted. The Charrette played a key role in supporting and informing the MIR (CD04) (which is the key discussion stage in the plan making process), however, a wide range of issues were discussed at the Charrette. The Post-It Workshops "Thurso Today" & "Thurso Tomorrow" highlighted issues such as the lack of good quality hotels, an untapped tourism potential and with coalescence between Scrabster and Thurso. The views along the coast and the greenspaces were also raised during the charrette. The Hands-On Planning workshop 'Thurso Western Expansion' discussed site options for a

new hotel. This focused on land south of the A9 at Pennyland House and land north of the A9 which was also marked as being cliff-top open amenity land.

Through further analysis of the sites at Pennyland Officers considered that the land north of the A9 was suitable for a hotel if the majority of the land was safeguarded for a public park. The hotel was proposed to be allocated on the east of the site to minimise the visual impact and protect vistas out over Thurso Bay, including out towards Dunnet Head from the western approach and Scrabster/Holborn Head from the east. Officers considered that this would ensure that TS12 would be safeguarded from development and with provision of a public park that a greater level of public access and amenity value would be achieved. Opening up TS12 as a public park with car parking would encourage more people to stop and enjoy the space and the spectacular vistas.

Impact on existing businesses

The general response to the hotel market is outlined within Issue 10 Thurso. This refers to the expected growth of the tourism sector, continued demand from business visitors and the need to continue to improve the tourism product and accommodation on offer in Caithness. Whilst the concerns for the hotel proposal on TS14 were noted Officers did not believe the proposal would lead to undue competition with existing town centre businesses. Although the site is outwith the Town Centre Boundary the proposal for a high quality hotel, spa and restaurant on TS14 was considered as being mainly location dependant. It was expected that a specific selling point of a hotel, spa and restaurant would be its cliff top location, looking over Thurso Bay. Together with the Developer Requirements for high quality, low level siting and design the proposal would likely have appealled more to the higher end of the market which is not being properly provided for at present. There are also footpaths along the A9 and Victoria Walk which lead directly (less than 350 metres) to the town centre. As a result Officers' recommendations did not propose any modifications to the Proposed Plan. However, Officers' recommendations were to suggest that if the Reporter was so minded he/she could amend the range of uses from "Tourism, Leisure" to "Hotel and ancillary leisure facilities" to be more specific about what would be supported on the site. The inclusion of lodges/chalets as part of the allocation was referenced by the landowner and members of the public. Although the allocation as shown in the Proposed Plan (CD03) was for 'Business (Tourism, Leisure)' uses the Developer Requirement text and paragraph 109 had referred specifically to a hotel development. Officers did not believe a strong case had been made to support the inclusion of chalet development and if brought forward on its own the scale of development may not be sufficient to deliver the public park elements of the proposal. In addition, given its prominent location the site was considered by Officers to be more suited to a well designed hotel development. As a result Officers did not recommend any modification of the Plan to specify reference to support for lodges/chalets development.

In addition, to help provide greater protection to existing businesses Officers recommended suggesting that the Reporter could add "Town centre impact assessment" to the list of Developer Requirements as this could be used to ensure that the development would not have undue competition on the existing businesses.

Concerns over the ability to ensure a high quality hotel is delivered are noted. Although the Council has the ability to influence the quality of the siting and design of any building on the site it is recognised that there is no control over specific hotel operators. The range of Developer Requirements, particularly those relating to the siting and design, landscaping and other environmental improvements, were considered by Officers to discourage more

budget level and chain brands and appeal more to a higher quality/boutique type hotel which requires an attractive setting and greater investment in the surrounding area.

Impact on landscape and views of Thurso Bay

The views out over Thurso Bay to Scrabster, Dunnet Head and Orkney were recognised by Officers as being important features and valuable assets of Thurso. However, Officers considered that a higher quality hotel development which minimises the impact on the landscape could be achieved if the developer was required to produce a masterplan for the site which would address issues, including the siting and design of the hotel, provision of a public park area, landscaping, access from the A9, enhanced active travel connections and coastal walk improvements. High quality, low level design was considered essential and the inclusion of features such as stone dykes could have helped to integrate the development within its surroundings. Officers considered that the visual impact would be minimised by the hotel allocation having been located on the eastern side of TS14, adjoining the existing caravan park. The hotel allocation was also restricted to 3ha which included an area identified for Expansion of the Green Network along the coastal edge. This would have allowed for the protection of 6.5ha of land at TS12 for the provision of a public park which would have preserved open views to Dunnet Head and Scrabster Harbour. Officers considered that the public park and hotel development could have helped to provide a more attractive entrance into the town centre and remove the focus of the buildings on the seaward side of the A9 being mainly centred on the existing caravan park. Overall Officers believed that the allocation and the Developer Requirements were sufficient to ensure that a hotel development in line with the Proposed Plan would have had an acceptable impact on the landscape. As a result no modification to the Plan was proposed.

Officers recommended that to provide greater clarity over the expectation that a high quality of siting and design is required on the site, it could be suggested that if the Reporter was so minded, he/she could add in the following text to paragraph 109: "Visit Scotland's Tourism Strategy (CD35) identifies a need for more quality hotels in Caithness and to help meet this land is allocated at Pennyland. *Given its prominent and sensitive location it is essential that a hotel in this location is delivered to the highest of standards. A low level building with features such as a green roof would help reduce the visual impact.* The development…."

In response to concerns over the resilience of any planting on TS12 or TS14, Officers recommended that the developer of the hotel would be required to submit a Landscaping Management Plan which will set out in detail features such as planting and maintenance of any vegetation/shrubs/trees for the site. This would ensure that any landscaping would be suitable to the weather conditions and would be well maintained. To provide greater clarity of what would be expected of a developer, Officers also recommended suggesting that if the Reporter was so minded, the existing Developer Requirement "Landscaping" could be replaced with "High quality landscaping set out within a Landscaping Management Plan".

Officers recognised the George Wylie sculpture as being an important feature of the local area but didnot consider it appropriate to require the adjoining developer to maintain/ enhance access to it. Despite this, landscaping and improvements to the coastal walk are noted as part of the Developer Requirements for TS12. Therefore, there may have been opportunity to consider potential enhancement of the George Wylie sculpture at planning application stage. Officers did not recommend any modification to the Plan.
Officers believed that SEPA's request for an additional Developer Requirement was based

on sound evidence. It was therefore recommended to suggest that, if the Reporter is so minded, the following developer requirement could have been added: “Flood Risk Assessment (no development in areas shown at risk of flooding)”. This would have addressed any issues relating to surface water drainage and flood risk which are set out in the Highland-wide Local Development Plan (HwLDP) (CD18) at Policy 64 Flood Risk and Policy 66 Surface Water Drainage and the associated Flood Risk and Drainage Impact Assessment Supplementary Guidance (CD13).

Concluding remarks on TS12 and TS14

Officers considered that the development of a high quality hotel, spa, restaurant and safeguarding land for a public park could have helped to deliver the Plan’s aim of supporting the growth of the tourism industry. As shown above the impacts on the landscape could have been mitigated through siting and design and landscaping. There also appeared to be sufficient demand in the hotel market for higher quality accommodation with associated facilities and that competition with existing town centre businesses was not as severe as suggested when taking account of appropriate mitigation. Consequently Officers recommended that the Council maintained the allocations TS12 and TS14 as set out within the Proposed Plan without modification.

Other Hotel site suggestions

Suggestions of other possible sites for a new hotel had been submitted to the Council for consideration. The Landowner of Pennyland Farm suggested that, as well as the hotel allocation on TS14, land should be allocated for another hotel closer to the Business Park. It was suggested that this would be targeted more towards national chain hotels. However, Officers considered that this type of proposal would be more suitable within the town centre. The allocation of land at TS14 was mainly due to its attractive cliff top location and that Developer Requirements could have been added which ensure that a high quality development was delivered. A development next to the Business Park, however, would not be location dependant and would likely attract a budget hotel. This would then compete more directly with the existing town centre businesses. Therefore the suggested hotel allocation near the Business Park was not recommended and no modification was proposed to the Plan.

Several other sites were suggested to the Council including TS07 and TS08. The respondents who suggested these sites appear- to do so as alternatives to development of TS14. However, these sites were arguably less attractive for a quality hotel given the adjoining uses or limited views. Of the sites suggested to the Council, TS14 was considered by Officers as the most suitable to allocate for a hotel as it would have appealed more towards the higher end of the hotel market which in turn would not present significant direct competition with town centre budget hotels.

For the response to the suggestion of a hotel allocation on TS05 Former Mart Site see Issue 10 Thurso.

Other Issues Raised

Implications of an Allocation in the LDP

It is not the case that should a site be allocated in the Local Development Plan a developer would be automatically granted planning in principle. Although allocation in the Plan does

show that the Council would support in principle the allocated land uses, a developer would still be required to submit an application, either a planning in principle or a full planning application. Interested parties, including the general public, would then have the opportunity to make comments on the application. The proposal for hotel development was specifically identified in the site allocation table of the Proposed Plan in order to clearly set out the type of development which it was proposed would be supported and thereby discourage any other proposals coming forward on the site.

Incorrect Site Referencing

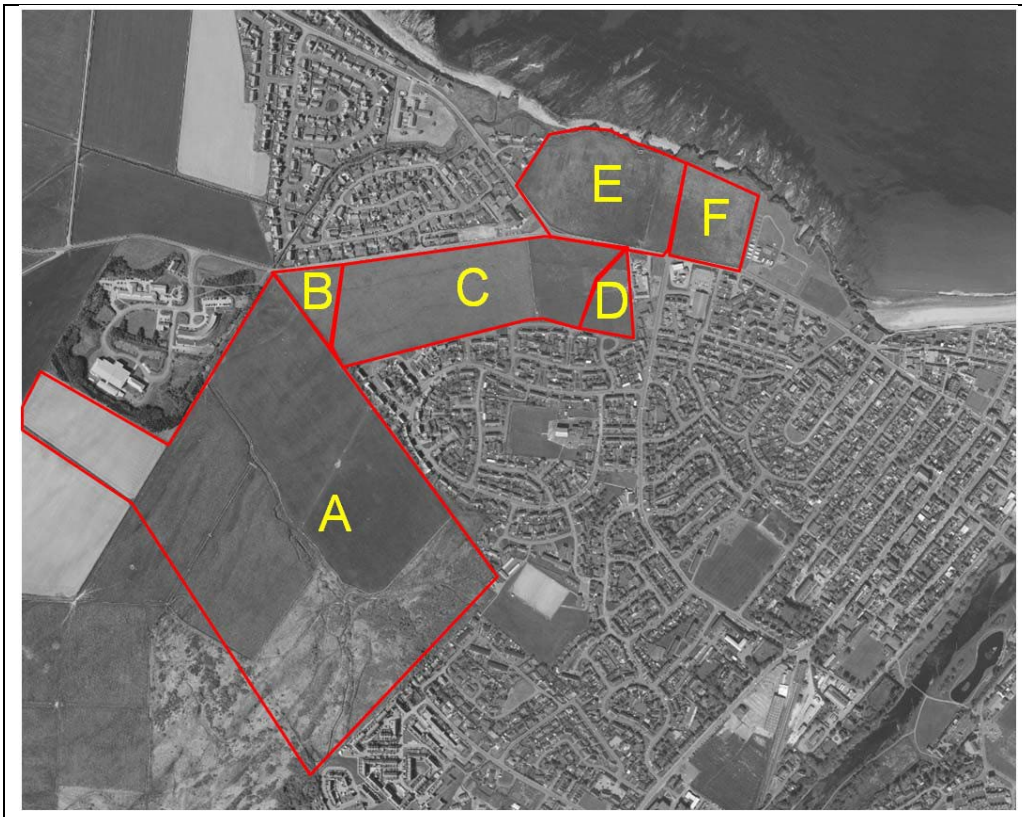
The site references, as shown in the Proposed Plan (CD03), included within the Developer Requirements for TS04, TS12 and TS14 were recognised as being wrong shortly after the consultation started. The errata for the Proposed Plan noted this error and included the correct site referencing (referring to TS04, TS12 and TS14 rather than TS01, TS02 and TS03). The error was corrected as a non-notifiable modification at Modified Proposed Plan stage (which also included the removal of proposed site allocations TS12 and TS14 from the Plan). No further comments were made on the site references during the consultation on the Modified Proposed Plan.

Decisions that were sought from (31st August 2016) committee

This section sets out two key decisions that were sought from Committee relating to the site allocations in the Thurso West area following consultation on the Proposed Plan. The options presented by Officers to Committee for consideration responded to a wide range of issues raised during the Proposed Plan consultation. It was highlighted that clear decisions should be made by Committee on the Council's proposed strategy and development allocations in the area. It was noted that, depending upon which options were chosen, it could lead to significant, notifiable modifications to the Plan.

To assist the discussion and decisions for this area the map below showed the relevant areas:

- Area A – Mixed use allocation in the Proposed Plan (CD03), predominately reflecting the existing Caithness Local Plan (2002) (CD17) allocations
- Area B – Allocated in the Proposed Plan for a filling station and small business units
- Area C – Identified in the Proposed Plan as Long Term Housing and Amenity land
- Area D – Allocated in the Proposed Plan for up to 20 houses
- Area E – Community allocation (public park) in the Proposed Plan
- Area F – Allocated in the Proposed Plan for Business (Tourism, Leisure), with specific reference to an opportunity for a hotel



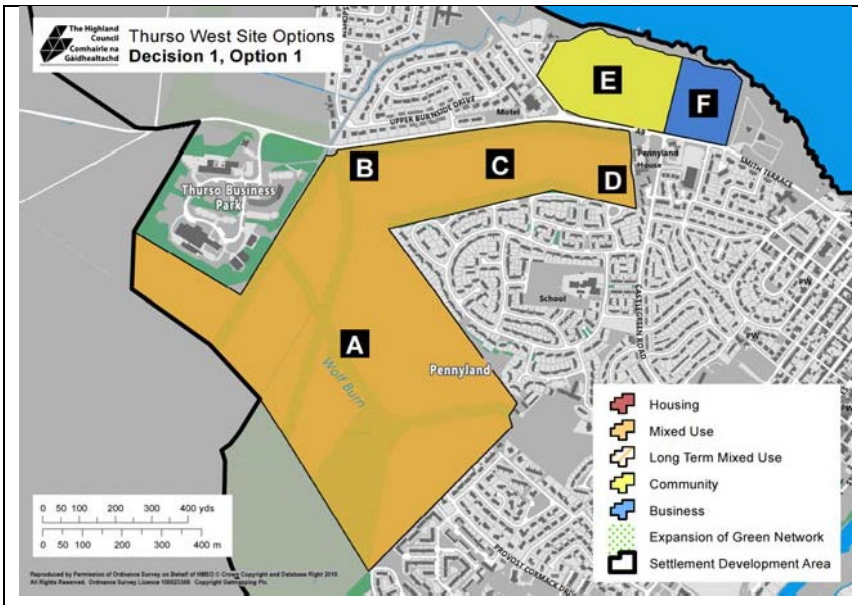
DECISION 1 – Presentation of TS04 (Areas A, B, C and D)

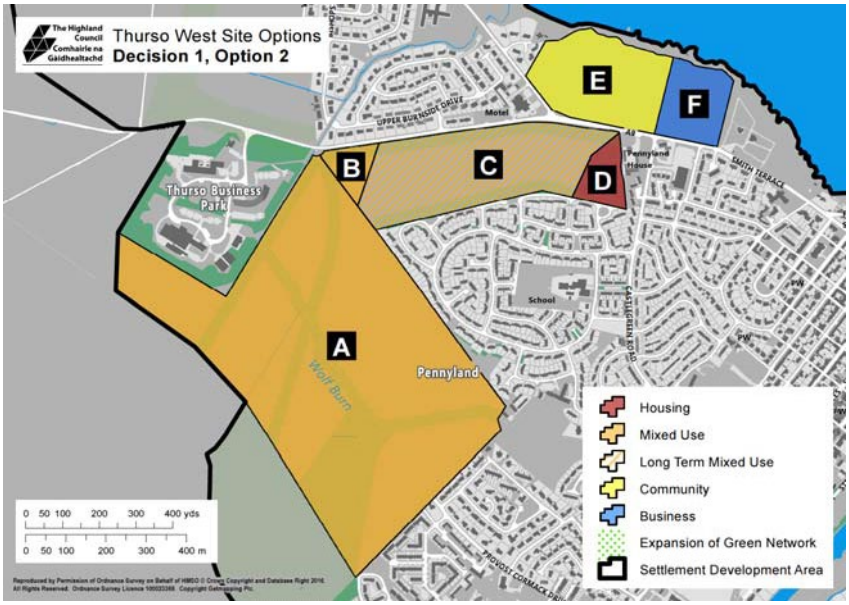
The first decision relates to how site TS04 is presented in the Plan.

The large single site boundary of allocation TS04 (covering A, B, C and D) was identified to reflect the extent of the proposed review of the Thurso Western Expansion Area Development Brief and/or developer-led masterplan. Although this remained the recommended position Members were presented with an option to break down TS04 into the components shown in the map below, identifying these as such in the Plan itself.

Committee was asked to choose between two options:

- Option 1 – retain TS04 as a single large allocation as shown in the Proposed Plan (CD03); or
- Option 2 - separate TS04 into its key components as shown in the map below.





It was recommended that Committee (31st August 2016) choose Option 1 to retain TS04 as a single allocation as it would better reflect the extent covered by the forthcoming review of the Thurso West Development Brief. Future plan reviews would then confirm the mix of development across the site.

It was noted that if Committee decided on Option 2 then we would ask the Reporter to accept this as essentially a presentational change rather than a significant modification to the Plan's proposals.

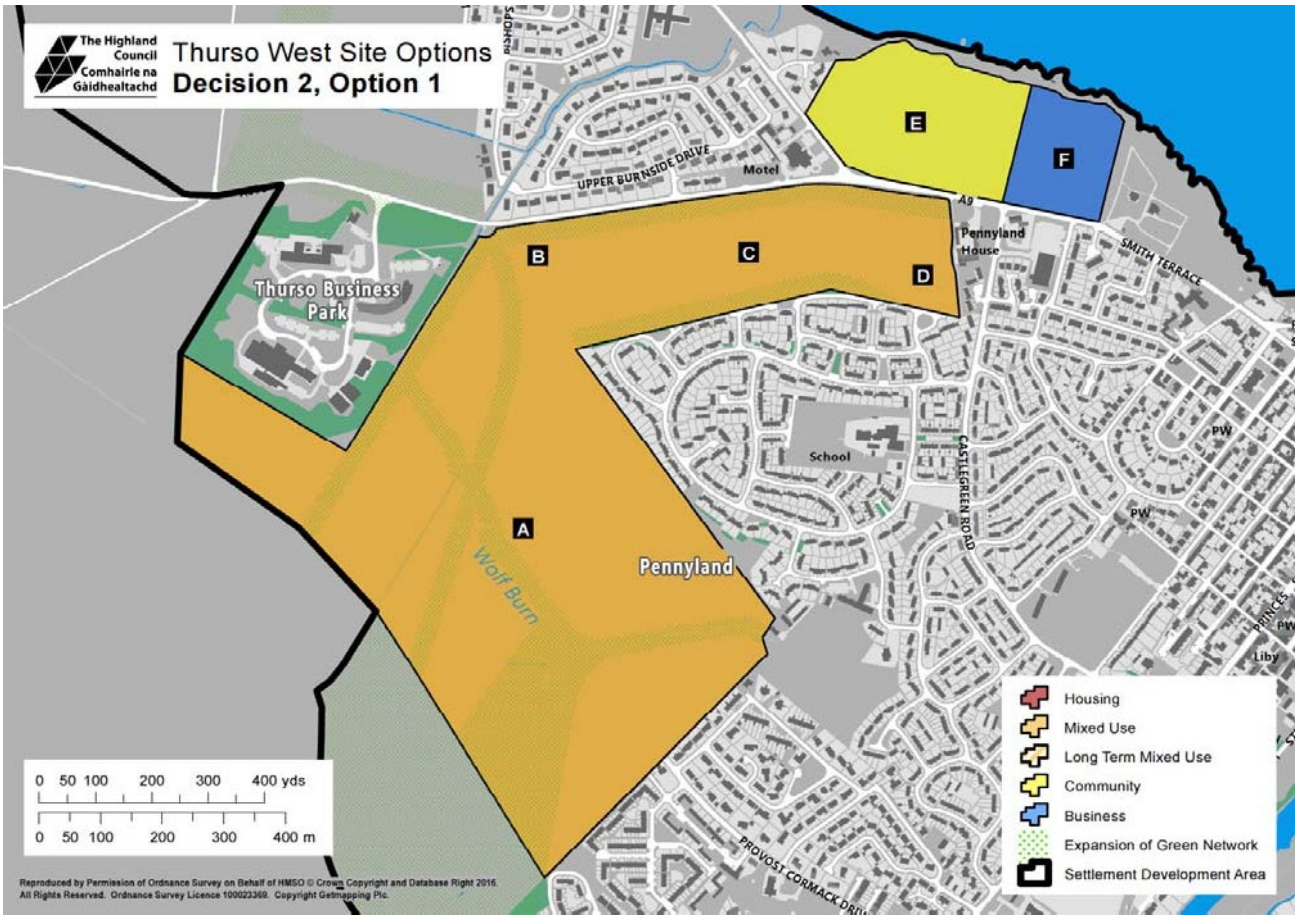
DECISION 2 – Fields north of the A9 at Pennyland (Areas E and F)

Decision 2 presented the following three options for how land at Pennyland (areas E and F) was shown in the Plan.

<u>Option 1 – Position presented in the Proposed Plan (E and F)</u>

This option represented the strategy and site allocations identified in the Proposed Plan (CD03) and agreed at Committee in November 2015 as the settled view of the Council. It

was recommended that, on balance, this option was considered to be the most suitable option for the future of the area.



As part of the recommended position it was noted that the arguments both for and against this option have been fully considered. It was recognised that the proposals would result in a change to the landscape and reduce views from particular positions out towards Thurso Bay. Additionally it was noted that there are concerns from existing hotel operators about potential impacts on the hotel market in Thurso and local residents about a change in standpoint from previous planning decisions. However, as set out in the recommended response above the proposal was considered to provide a range of potential benefits. The allocation formed part of a long term vision for Thurso as set out in the Proposed Plan (CD03) and the hotel allocation may have provided a mechanism for helping to deliver and safeguard land for a public park. It was also noted that the tourism market is continuing to grow (particularly within initiatives such as NC500) and a high quality hotel with leisure facilities and restaurant could help address shortcomings in the current hotel inventory and extend the duration of visits.

It was recommended (31st August 2016) that Committee agreed with Option 1 (as shown in the map above) and retain the proposals as set out in the Proposed Plan (CD03). This was because the proposals were considered to have the potential to deliver wider benefits to the area and the impacts of development could be suitably mitigated.

It was noted that choosing this option would not have involved significant modifications to the Plan. This would mean moving straight to preparing for the submission to Scottish Ministers for Examination following the August Committee rather than face delay in the process. The Reporter(s) would then consider and decide on the outstanding issues.

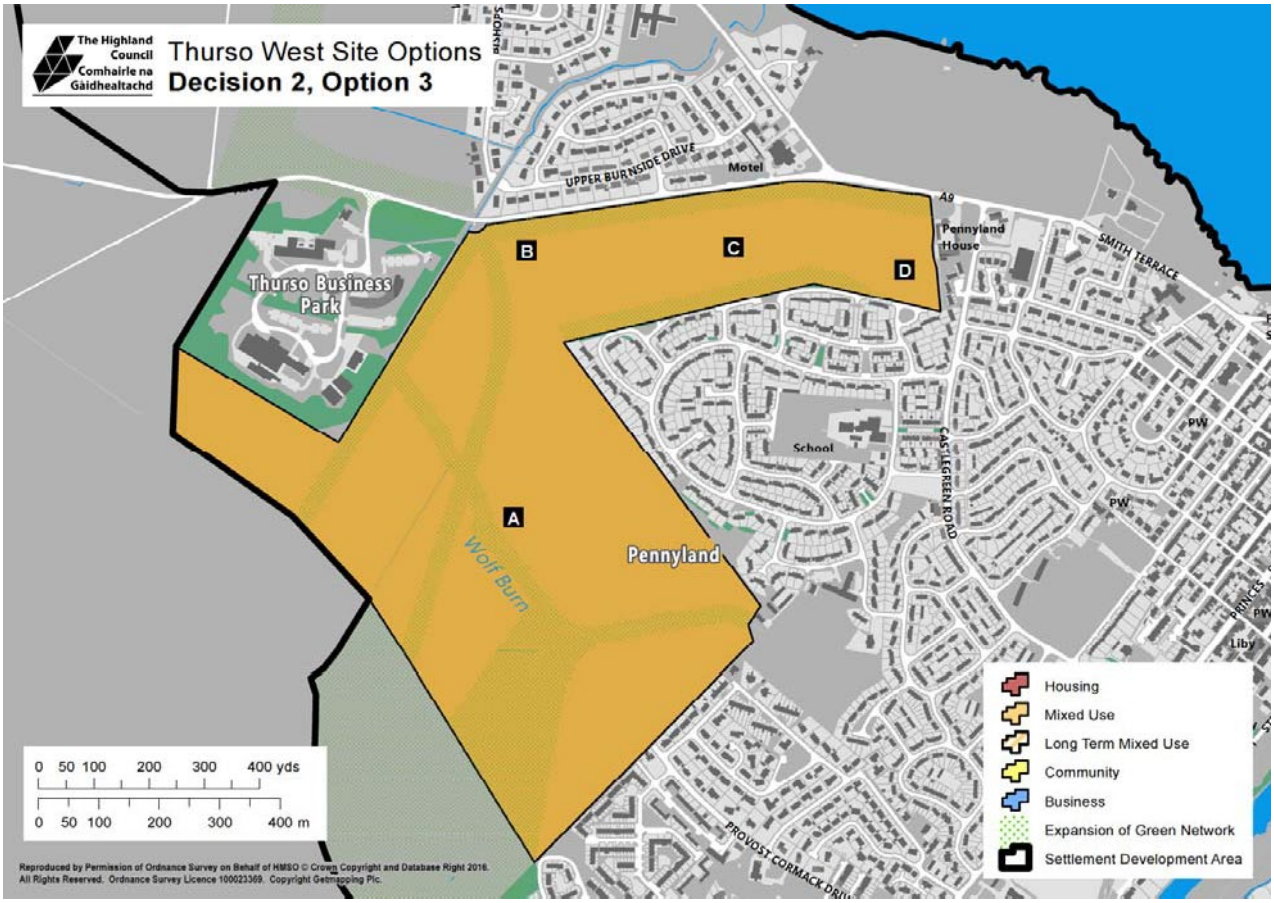
Option 2 – Retain areas E and F but amend uses

The Committee were presented with an option to maintain the allocation of Areas E and F but to change the specific uses in respect of Area F, e.g. from a hotel to 'visitor accommodation' or 'chalets/lodges'. Officers did not recommend (31st August 2016) that Committee selects this option because a well designed hotel was considered to be more suitable for this location.

If Committee decided on Option 2 then Officers would have asked the Reporter to accept the change rather than make a significant modification to the Plan's proposals.

Option 3 – Removal of allocations for public park (E) and hotel opportunity (F)

Many objections were raised during the consultation to the allocation of land for a hotel and associated leisure facilities at Pennyland. If the hotel proposal (Area F) was removed there would be no clear way of delivering the public park on site TS12 through the Plan. As a result officers advised that if Area F were to be removed, Area E should also be removed.



It was acknowledged that were some advantages and disadvantages of this option. Option 2 may better reflect the masterplan which was shown in the final Charrette Report (CD25). It would also reduce landscape change and avoid any potential impact on existing hotel businesses. On the other hand, as Option 1 pointed out, the proposals formed part of a long term vision for Thurso West and the allocations provided a mechanism for helping to deliver and safeguard land for a public park. The tourism market is continuing to grow (particularly with initiatives such as NC500) and a high quality hotel with leisure facilities and restaurant could help address shortcomings in the current hotel

inventory and extend the duration of visits.

Officers noted that, on balance, Option 2, as shown in the map above, was not recommended to Committee (31st August 2016) as a well designed hotel could deliver wider benefits for the town and the impacts can be suitably mitigated.

The recommendation stated that this would be a significant modification of the Plan, necessitating consultation on a Modified Plan with consequential delay to progression and adoption of the Plan and additional costs.

Outcome of Caithness Committee on 31st August 2016

Officers presented two key decisions for Committee to consider. The first related to the way in which site TS04 Thurso West would be presented within the Plan. Two options were put forward for consideration: 1) retain TS04 as a single large allocation as shown in the Proposed Plan (CD03); and 2) separate TS04 into its key components. The Committee agreed with the recommendation to retain TS04 as a single allocation (as per the Proposed Plan).

The second decision for the Committee to consider related to sites TS12 and TS14. Three main options were presented which included: 1) retaining the allocations as set out in the Proposed Plan (Officer recommendation); 2) retaining the sites but amending the specified uses; or, 3) removing the allocations from the Proposed Plan. Pros and cons of each option were acknowledged by Officers in their report considered by Committee. Following discussion Committee agreed to remove sites TS12 and TS14 from the Proposed Plan. This consideration is documented in the report to Caithness Committee on 31st August 2016, the minutes of Committee and within this Schedule 4. The removal of allocations TS12 and TS14 from the Proposed Plan was a notifiable modification that led to the preparation of and consultation on a Modified Proposed Plan.

Planning Authority's consideration of the representations on the Modified Proposed Plan in February 2017

TS12 East of Burnside for Community and TS14 Land West of Caravan Park for Business

As highlighted above, following consideration by the Caithness Committee on 31st August 2016 it was agreed to remove site allocations TS12 and TS14 from the Plan. The removal of the allocations was a notifiable modification that led to the preparation of and consultation on a Modified Proposed Plan. This Schedule 4 takes account of all the comments raised since the publication of the Proposed Plan (CD03) including issues raised at Committee.

Comments made in support of the Modified Proposed Plan position, which is to exclude TS12 and TS14, are noted. The key issues raised in support include: the lack of demand for another hotel; the construction of another hotel would ultimately result in existing town centre hotels being forced out of business; the fields provide an attractive entrance into the town and give uninterrupted views out over Thurso Bay, consequently the sites should be protected from development; and, safeguarding the sites from development is in line with the previous public local inquiry decisions and the Charrette Report (CD25).

It is apparent that many of the issues raised in objection to the removal of the sites TS12 and TS14 are the same arguments which were put forward in support of the sites at

Proposed Plan stage. As noted these were outlined and acknowledged in the report presented to Committee in August 2016. On the whole, the reasons put forward are in line with the rationale behind the original proposition for the sites as shown in the Proposed Plan. Please see the section above for the Officer Recommendations in response to the Proposed Plan.

The only new issue raised in response to the Modified Proposed Plan in relation to sites TS12 and TS14 is the suggestion of possible links being made between the hotel and the University of the Highlands and Islands (UHI) North Highland College in Thurso. It is recognised that there are potential benefits of having connections between new development such as this and vocational courses at the local college. This is reflective of wider aims for the area and could help to support the tourism and hospitality sectors. However, the potential benefits of such links do not warrant the Council to reinstate the sites. In addition, the point has been raised speculatively by several members of the public and was not a formal submission by either the prospective hotel developer or the UHI. As a result, no change is proposed to the Plan.

Below is a summary of the position now recommended to Committee, taking account of the issues raised in relation to the Modified Proposed Plan and the consideration by Caithness Committee in August 2016:

Protection of the vista

The vistas out over TS12 and TS14 were recognised within the Officer Recommendation in response to comments on the Proposed Plan as being an important feature and that development of the sites would inevitably result in a change to the landscape. The Committee decision in August 2016 reflects the opinion of many of representees objecting to development, that the impact from development would be too great on the vista towards Dunnet Head and Orkney. The Committee also felt that mitigation, such as Developer Requirements, could not guarantee that the vista is protected and preserved for the enjoyment of residents and visitors, which is becoming increasingly important given the growing number of tourists visiting the area due to initiatives such as the North Coast 500. As no evidence has been put forward which adequately challenges this position, or demonstrates otherwise, no change is proposed to the Modified Proposed Plan.

Previous planning decisions

The previous planning history was acknowledged within the response to issues raised in relation to the Proposed Plan. The sites were subject to previous public local inquiries which determined against development due mainly to there being alternative sites available for development and the potential impact on the landscape. The Council considers that the Development Plan should be more in line with the Scottish Government's previous determinations on the sites. As no evidence has been put forward which adequately challenges this position, or demonstrates otherwise, no change is proposed to the Modified Proposed Plan.

Suitable alternative sites

The Council considered that suitable alternative sites already exist within Thurso. In terms of the proposals for a hotel there are already allocations being supported, e.g. alongside the river (TS06, TS07 and TS08) and the former mart site, which have potential to accommodate a hotel. Committee members also put forward that there is no immediate

need for a public park as there is already a range of publically accessible areas in the locality, including a play area, football park and a coastal walk along the cliff. As opportunities for these uses are included elsewhere in Thurso it is not recommended that any further modifications are made to the Plan.

Concern over ability to enforce Developer Requirements

Concern was expressed in regard to the extent to which Developer Requirements/ Development Brief can be enforceable. A particular area of concern focused on the extent to which the Council at the planning application stage could enforce suitable siting and design requirements and that development could be approved which is considered to be detrimental to the landscape. The concerns about the Council's inability to guarantee a top-end hotel user were acknowledged as this type of control cannot be achieved through the planning system. As noted in the Officer's response to representation on the Proposed Plan, whilst the Plan provided opportunity for a quality hotel development it did not attempt to limit or stipulate the 'quality' of hotel operator. What it did do was aim to ensure that, whoever the operator, the development would be sympathetic to the surrounding area, be of high quality architectural siting and design and minimise impact on the landscape. References within the supporting text for each settlement and the Developer Requirements relating to each site allocation form part of the Development Plan. As set out in legislation, unless material considerations indicate otherwise, an application is to be determined in accordance with the development plan.

Concluding Remarks

Although diversification of the economy, job creation and the growth of tourism in Caithness is encouraged by the Council, the suitability of specific sites for allocation in CaSPlan needs to be considered. In relation to the particular tourism proposal for sites TS12 and TS14 the Council believes that, on balance, it is not suitable for allocation within the local development plan. Consequently, the Council seeks to defend the position as set out in the Modified Proposed Plan: retaining TS04 and excluding TS12 and TS14. The sites at Thurso West have continued to be the most controversial aspect of the Plan with a large number of representations made at each stage of the Plan, including the Modified Proposed Plan. Although there were numerous comments on the Modified Proposed Plan, no new issues or substantive evidence were raised which warrant the Council making further amendments to the Plan. Furthermore, we are not minded to propose any additional suggestions or amendments to the Plan for the Reporter to consider. In taking this position it should be noted that the Reporter would carefully consider the arguments both for and against components of development at Thurso West before reaching a final decision.

Reporter's conclusions:

1. TS12 and TS14 are situated on a cliff top, on the northern edge of Thurso, between Burnside, a housing area, to the west, and the Thurso Bay Caravan and Camping Park at Smith Terrace to the east, immediately to the north of the A9. There is further housing and fields to the south of the A9. The sites lie side by side with the western most one being TS12, and the eastern most one, TS14. Together they are essentially rectangular in shape, TS12 extends to around 6.5 hectares and TS14 to 3 hectares, and they comprise 2 fields, which slope gently downwards towards a footpath and the cliffs at the coastline to the north. TS12 is an allocation for Community (Public Park) purposes, and TS14 an allocation for Business (Tourism, Leisure) purposes. The Developer Requirements for

TS14 envisage a hotel of high quality, low level design being established. The allocations were contained in the Original Proposed Plan, but have been removed from the Modified Proposed Plan following a decision by the Caithness Committee on 31 August 2016. In the adopted local plan, the sites are designated as Amenity Areas, and include provision for a public park in the longer term, and playing fields.

2. There is an extensive planning history at this location, linked to TS04 (Thurso West [Mixed Use {Housing, Business, Retail {petrol filling station only}, Open Space}]), a proposed strategic expansion of Thurso, on the southern side of the A9 and the A836 (see Issue 11). In 1994, planning permission was refused, and in 1996, a subsequent appeal was dismissed, for a hotel and leisure facilities on the site of TS14. The 2001 Public Local Inquiry Report on Objections to the Caithness Local Plan also rejected the idea of a hotel on TS12 and TS14. Its designation as an Amenity Area was carried through from the 2001 local plan to the (2012) adopted local plan.

3. The Thurso Charrette report (2013) identified the 2 fields as part of an area of open amenity land. Following the publication of the Charrette report, the promoter of TS12 and TS14 prepared a masterplan for an area that included this land and TS04. It proposed the development of a hotel, chalets and community/amenity space. In 2014, the Main Issues Report (MIR) identified land north of Pennyland House (TS18) as a non-preferred site for a mixed use development (business, tourism, community). On the accompanying Settlement Map, the land was shown as being safeguarded for open amenity. It was subsequently included in the Original Proposed Plan as TS12 and TS14.

4. A significant number of representations were received in relation to this Issue. Representations were received in respect of both the Original Proposed Plan and the Modified Proposed Plan. In so far as these sites are concerned, there is clearly a significant difference between the 2 versions of the Plan. I have found that the representations on both Plans can readily be dealt with together, and that it is unnecessary to consider them separately under each version of the Plan. I note the support for both the proposals in the Original Proposed Plan, and those in the Modified Proposed Plan. In essence, the representations seek either the removal of TS12 and TS14, their reinstatement, or changes to the Developer Requirements. In response to FIR 08, the planning authority provided more detailed explanations and information on, amongst other things, the planning history of TS12 and TS14, the studies undertaken or other material provided to support a hotel at this location, and the extent to which there had been operator interest in such a development. Representors have had an opportunity to comment on the response.

5. The planning authority's reasoning for including TS12 and TS14 in the Original Proposed Plan appears to be along the lines that it could help deliver the aim of supporting the growth of the tourism industry, that the impacts of a hotel development, including landscape impacts and impacts on town centre businesses, could be mitigated, and that there seems to be sufficient demand for higher quality hotel facilities.

6. The planning authority's reasoning for subsequently not including the allocations in the Modified Proposed Plan appears to be that there is no guarantee that the vistas from the allocations could be protected and preserved for the enjoyment of residents and visitors, that the approach to the sites should better reflect previous Scottish Government determinations, that there are suitable alternative sites within the town, and that there is concern over the ability to enforce the Developer Requirements.

7. The Plan recognises that the tourism sector is an increasingly important component of the economy, and it supports suitable opportunities throughout Caithness and Sutherland. I accept that a hotel of high quality, low level design could be a positive addition to tourist facilities in the area, that it could add to the success of tourism initiatives such as the North Coast 500, that there would potentially be local and regional economic benefits, and that the cliff tops provide a potentially attractive site. However, at Issue 10, I conclude that it has not been shown that the hotel proposed at Pennyland (TS14) is a potentially viable and realistic development opportunity. I also conclude that there is not a pressing need to identify an additional location for a hotel development at this time.

8. While the promoter of the site may have shown an outline of a proposal for a hotel (with leisure club and pool) on the masterplan prepared, I am concerned at the vagueness of the proposal, and the apparent absence of any site specific details or studies which would support such a project at this location, including the lack of any market and feasibility studies. I believe such supporting material to be important in this case because of the aim to limit the type of hotel development to one in the high quality/boutique, luxury market segment, and the requirement for it to fund the public park proposed at TS12.

9. I am also concerned that there is no indication in the responses to FIR 08 that any hotel operator has expressed an interest in developing the type of facility envisaged, only a vague reference to the landowner actively pursuing ongoing dialogue with prospective developers and occupiers. I am aware that the particular standard of high quality hotel envisaged cannot be guaranteed at the outset or into the future. Moreover, there are issues to be addressed about the suitability of the general location for this type of hotel, including the relatively small size of the site and its position on the outskirts of a modest sized town, immediately adjacent to a caravan park. Although I accept that a bed and breakfast establishment has been developed on the opposite side of the A9 at Pennyland House, no hotel has materialised on the larger site allocated here for this purpose in spite of its inclusion in local plans since 2001, a period in excess of 15 years, and the views over TS12 and TS14, towards the sea. In the circumstances, I consider the proposal for TS14 to be speculative in nature, and I am not convinced of its deliverability.

10. I also need to consider the visual effects of the proposed allocations. TS12 and TS14 are key, prominent open areas within the settlement boundary, perched on the top of coastline cliffs. They provide panoramic, cliff top views over the fields, towards the sea. There are also notable views of the 2 cliff top fields from around the bay within which Thurso sits, and further views when travelling eastwards, from the west, towards the centre of Thurso. In total, the 2 fields extend to around 9.5 hectares. They could not be designated as a Special Landscape Area for the reasons set out in our conclusions at Issue 06. I am also not persuaded that they are required to prevent coalescence between Thurso and Burnside because the latter is, in effect, no more than a detached, modern suburb of the former, and both fall within the settlement boundary. Their value comes from their openness, their cliff top location, the views from and of them, and their location within the settlement boundary, between different built up areas of the town. Their importance is particularly evident when travelling eastwards towards the town centre of Thurso because the main view is drawn towards the sea. In the circumstances, I consider that this open area is a significant feature within the town, which makes a meaningful contribution to its character, identity, and distinctive sense of place. As such, I believe it to be a valuable area of open space, and it is clear from the representations objecting to the allocations that the local community also values the area. In my view, its importance is likely to increase as Thurso expands to the west.

11. Apart from the masterplan submitted in response to FIR 08, no other indicative or more detailed drawings were provided to support the proposed reinstatement of the hotel allocation in the Plan. The Original Proposed Plan referred to a high quality, low level design, and the Summary of Responses by the Planning Authority suggested a low level building with features such as a green roof, and I accept that such a scheme would offer some mitigation and reflect the landscape's horizontal grain. Landscaping would also help soften the appearance of any development. However, the proposed development would involve a hotel use, an ancillary leisure facility, car parking, access and signage, and I am apprehensive about its massing and relative scale, and its almost inevitably significant visual impact, which would probably be much greater than that of the adjacent caravan and camping park, and which would be likely to have a materially adverse effect on the site's openness and on the views from and of it. The presence of such development would also probably have an adverse effect on Victoria Walk (the coastal walk), which I doubt would be overcome by the improvements proposed to it and the small Expansion of Green Network designation proposed at the northern edge of TS14.

12. Given that they are separated by housing and TS12 (the public park site), I do not consider it likely that any hotel development would have a significantly adverse effect on the amenity of the Barchester Pentland View Care Home to the west. I acknowledge the built development already in the area, including the Weigh Inn. However, this does not particularly detract from the views achieved from the sites and it reinforces the openness of TS12 and TS14. More development is also proposed in the area within the Plan period (mainly on parts of TS04), and potentially in the long term. While this would affect the appearance of the area, making it more built up, I believe that it further emphasises the importance and worth of these cliff top fields as an area of amenity open space.

13. I agree with the conclusions of the reporter at the 2001 Public Local Inquiry into Objections to the Caithness Local Plan that the balance is very strongly in favour of retaining the open nature of this land. This is consistent with the conclusion in the Thurso Charrette Report that the land should remain open, and with the preference expressed on the Settlement Map in the MIR that it should be safeguarded as land for open amenity.

14. I consider that its loss to development such as that proposed would be likely to have a corrosive effect on the identity and character of Thurso, undermining its distinctive sense of place. The openness of TS12 and TS14 is safeguarded in the adopted local plan by its designation as an Amenity Area. The designation has not been continued into the Plan. I believe that the land can now best be protected by designating it as Greenspace. Such a designation may not fully align with the definition of Greenspace set out in the Glossary of the Plan, or the approach taken to open space at Policy 75 in HwLDP. However, I believe such a designation to be appropriate because this would mean that the land's amenity open space function within Thurso, and its qualities, would be properly taken into account should any further development proposals emerge. I am satisfied that the inclusion of a short explanation in the introductory paragraphs of the Thurso section of the Plan would help clarify for users the reasoning behind the Greenspace designation of the land, and the aim of safeguarding it from inappropriate development.

15. I acknowledge that the allocation of TS12 as a public park would be consistent with the recognition of it as amenity open space, and a designation of Greenspace. It would also help protect its openness, and I am satisfied that a Landscape Management Plan would be a reasonable way of devising an appropriate planting scheme and management arrangements for the site. However, the Summary of Responses by the Planning Authority indicates that without TS14, there would be no clear way of delivering this facility.

In these circumstances, I also believe that it would be inappropriate to reinstate TS12 in the Plan on its own.

16. I do not agree that reinstating TS12 and TS14 in the Plan would amount to a grant of planning permission in principle (outline) for the same reasons I gave in my conclusions on TS04 at Issue 11. I also note that development proposals put forward for inclusion as allocations in Local Development Plans are generally dealt with on their own merits. Nonetheless, I am concerned that, if TS14 was allocated for hotel development and it did not proceed, then it could become more difficult to resist allocating it for other types of development proposals that may come forward in the future, and that this could extend to any future development proposals on TS12.

17. Turning to other matters raised, I have considered the changes the planning authority proposes to the wording of the Plan in an attempt to provide more clarity about the type of hotel facility expected on site. However, neither individually nor collectively, do they overcome my concerns about the adverse effects that this type of development would be likely to have on the openness of the land. As I have concluded that TS12 and TS14 should not be reinstated in the Plan, there is no need for me to further consider the changes recommended to the Developer Requirements by the Scottish Environment Protection Agency (SEPA) and Scottish Natural Heritage (SNH). In any event, I note that the representation by SNH requests no more than a minor correction to site referencing, which the planning authority was treating as a non-notifiable modification. I note that there are other sites identified in the Plan where development of a hotel would be possible (see Issue 10). Should a specific need emerge for a high quality hotel, I also believe it likely that a thorough site search would be likely to reveal other possibly suitable locations in the wider area. I agree with the planning authority that a potential link between the proposed hotel and the University of the Highlands and Islands North Highland College (in Thurso), could be of benefit, but it is not so significant that it would justify reinstating the hotel allocation.

18. I have also carefully considered the key decisions sought by planning officers from the Caithness Committee on 31 August 2016 on TS04, TS12 and TS14, as detailed in the Summary of Responses by the Planning Authority. On TS04 (decision 1), I have recommended at Issue 11 that a single large allocation should be retained (option 1) rather than breaking the allocation down into component parts (option 2). I set out my recommendations on TS12 and TS14 (decision 2) below where I indicate that TS12 and TS14 should be excluded (option 3) rather than reinstated as allocations (option 1). Furthermore, in the absence of any evidence demonstrating to the contrary, I remain concerned that option 2 (which would change TS14 from hotel to visitor accommodation or chalets/lodges) would still undermine the openness of the site once all the elements generally involved in such developments are taken into account. Additionally, it seems to me that this alternative would be even less likely to be able to deliver the public park on TS12.

19. One consequential change is required to the 3rd Placemaking Priority identified for Thurso in the Plan (page 35). It deals with the long term western expansion of Thurso, and one of the uses identified is a public park. As the proposal at TS12 for such a park has not been reinstated, I believe that the reference in the Plan to it should be deleted.

20. I have considered all the matters raised, including the role of the Thurso Charrette in the preparation of the Plan and the measures taken to publicise it, the possible inclusion of stone dykes in the design of any development, and the George Wyle sculpture, but find

none that the outweigh the considerations on which my conclusions are based.

21. Overall, adjustments are required to the Plan, as set out below.

Reporter's recommendations:

I recommend that the following modifications be made:

1. Under the Thurso section of the Caithness Settlements, page 41, adjust the Settlement Map by designating the area of TS12 and TS14 (as defined in the Original Proposed Plan and deleted from the Modified Proposed Plan) as Greenspace.

2. Under the Thurso section of the Caithness Settlements, page 34, add a new paragraph (appropriately numbered) between paragraphs 111 and 112 (of the Modified Proposed Plan) to read:

"…. The cliff top land on the north side of the A9, between the housing at Burnside to the west and the Thurso Bay Caravan and Camping Park to the east is important to the character and identity of Thurso, and its distinctive sense of place. This is because of the land's openness, the views from and of it, and its location within the settlement boundary between different built up areas of the town. In order to safeguard it from inappropriate development, it has been designated as Greenspace on the Settlement Map."

3. Under the Thurso section of the Caithness Settlements, page 35, adjust the 3rd Placemaking Priority (of the Modified Proposed Plan) by deleting the reference to a public park at the beginning of the 3rd line, so that the 2nd sentence in the bullet point reads:

"…Land is identified for a range of uses including housing, business, leisure, petrol station and open space together with important transport and connection improvements."

Issue 13	**Wick**	
Development plan reference:	Wick page 42 - 49	**Reporter:** Tim Brian

Body or person(s) submitting a representation raising the issue (including reference number):

Proposed Plan
Caithness Chamber of Commerce (983321)
Clive Teuchert (976184)
David Dunnett (980064)
Elder (967345)
George Connor (983538)
Graeme Sutherland (976344)
Graham Begg (978528)
Historic Environment Scotland (964857)
Iain Banks (980087)
Ian and Katie Burns (980855)
Jan Haines (984013)
John Russell (978206)
MM Miller (976780)
Robert Turner (983587)
Sandra Macgregor (972167)
Scottish Water (953627)
SEPA (906306)
SNH (909933)
SSE Plc (983775)
Wick Harbour Authority (980258)

Modified Proposed Plan
John Gunn & Sons Ltd (MPP 84009)

Provision of the development plan to which the issue relates:	Wick settlement text, placemaking priorities and site allocations ** Please note that this part of the Plan was subject to a non notifiable modification which included updating the reference to the Beatrice Offshore Windfarm.*

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

Wick General

Ian and Katie Burns (980855) - The neighbouring property is currently being cleared and it is understood that the purchaser intends to make this into private dwelling. The respondent questions whether they can expect to see and comment on the plans beforehand.

Caithness Chamber of Commerce (CCC) (983321) - Welcomes the recognition of the growth potential of Wick due to developments in renewable energy and other developments such as the National Nuclear Archive.

CCC are also pleased to see the adoption of a flexible approach to encourage reuse or

redevelopment of Council-owned buildings.

SSE plc (983775) - In terms of the position set out within the Proposed Plan relating to Wick Harbour and BOWL, the agent confirms that paragraphs 116 and 117 capture the likely requirements for Wick Harbour arising from the BOWL development.

New Site Suggestions

Clive Teuchert (976184) - Objects to the land to the east of Murray Avenue at North Head not being taken forward as a Housing allocation because it was allocated for development since the 1990s. It is not costing the Council any money being in the Plan and it is not an eye sore. Removing the site would reduce the choice of sites for prospective homebuyers.

MM Miller (976780) - Objects to the area of land next to Murray Avenue in Broadhaven no longer being allocated for housing. The site was previously allocated for housing and MM Miller obtained planning permission (see the respondent's verbatim submission for extracts from their planning permission) for developing this area. While developing Murray Avenue MM Miller invested a substantial sum of money in drainage works, undergrounding overhead cables and obtaining planning permission with a view to extending the housing development into this field.

George Connor (983538) - Objects to land at Milton to the west of Wick not being taken forward as a Housing allocation (area shown in the attachment). There are frequently requests by the general public asking for plots of land to buy in order to build houses. The respondent attached a letter (see the verbatim submission) from 2008 which shows an expression of interest from a developer in developing the land if it was allocated in the Development Plan.

Graham Begg (978528) - The respondent owns the farm south of WK02 and requests the land be allocated for housing there due to the large amount of new houses which will be needed if the offshore wind proposals go ahead. At present there is not enough land identified for long term housing.

WK01 Hill of Man

David Dunnett (980064) - The site was bought by Pentland Housing Association and was going to be made available for single house plots, not just affordable houses.

WK01, WK02, WK03, WK17, WK19 and WK22

SNH (909933) - Although the main text for Wick recognises the need to avoid an adverse effect on the integrity of the East Caithness Cliffs SPA, the developer requirements should also specify what is required. We therefore recommend adding text such as "Development proposals will require to identify what measures will be put in place to ensure that there would be no adverse effect on the integrity of the East Caithness Cliffs SPA through increased disturbance caused by increased recreational use of the area by residents of the new housing."

WK03 East of Carnaby Road

SEPA (906306) - As identified in the Environmental Report, the Mill Lade watercourse which runs through the site is the water supply for a local distillery. As a result SEPA

object unless the following developer requirement is added to the plan: “25 m development setback from watercourse; Avoid any discharge into the watercourse.” This amendment will help protect significant local water users and ensure consistency with other allocations in similar catchments elsewhere in the plan.

WK04 North of Coghill Street

SEPA (906306) - A small watercourse runs along the boundary of the site. Parts of the site are therefore at risk of flooding. As a result SEPA object unless the following developer requirement text is added to the plan: “Flood Risk Assessment (no development in areas shown to be at risk of flooding).”

This amendment will help protect people and property from flood risk and ensure (1) compliance with the flood risk avoidance position in paragraphs 255 and 263 of Scottish Planning Policy, (2) that developers are aware that flood risk may be a constraint on development of part of the site which will assist in delivery in line with Scottish Planning Policy paragraph 30, which states that “Development plans should:…set out a spatial strategy which is both sustainable and deliverable, providing confidence to stakeholders that the outcomes can be achievable” and (3) ensure that developer requirements for all sites thought to be at risk of flooding are dealt with consistently throughout the plan. This advice is also in line with the Flood Risk Management (Scotland) Act 2009 which places responsibility on the Scottish Government, SEPA, Scottish Water and local authorities to exercise their flood risk related functions with a view to reducing overall flood risk.

Historic Environment Scotland (HES) (964857) - HES supports the requirement for a minimum 20m buffer from the scheduled monument The Pap broch 350m E of Hillhead (Index no. 578) as well as the requirement to consider the setting of the monument through sensitive siting and design.

Jan Haines (984013) - Respondent reports frequent drainage issues in their property as a result of the development WK04 and is concerned about the impacts further development will have. A garage development within the neighbour’s garden has exacerbated the problem.

Graeme Sutherland (976344) - The landowner and developer of WK04 objects to the current allocation boundary and requests that it be extended to include the land to the north of Hillhead School. The whole site was granted planning permission in 2002 which is now ‘locked on’ as development commenced on site before it expired. It has been a mistake by the planning team not allocating it for development. The site is located in a good part of the town and WK04 is being steadily built out. The developer argues that they have invested a lot of money in upgrading the site with the intention of continuing development into the area above Hillhead Primary School. There are a lot of brown sites in Wick in less desirable areas and which probably will not be developed in the future.

WK06 West of Coronation Street

SEPA (906306) - The site is adjacent to River Wick and is at risk of flooding from high tides combined with storm surges and high river levels. There are also local records of flooding. As a result we object unless the following developer requirement text is added to the plan: “Flood Risk Assessment (no development in areas shown to be at risk of flooding).”

This amendment will help protect people and property from flood risk and ensure (1) compliance with the flood risk avoidance position in paragraphs 255 and 263 of Scottish Planning Policy, (2) that developers are aware that flood risk may be a constraint on development of part of the site which will assist in delivery in line with Scottish Planning Policy paragraph 30, which states that "Development plans should:…set out a spatial strategy which is both sustainable and deliverable, providing confidence to stakeholders that the outcomes can be achievable" and (3) ensure that developer requirements for all sites thought to be at risk of flooding are dealt with consistently throughout the plan. This advice is also in line with the Flood Risk Management (Scotland) Act 2009 which places responsibility on the Scottish Government, SEPA, Scottish Water and local authorities to exercise their flood risk related functions with a view to reducing overall flood risk. Such an approach is in line with the mitigation proposed in the Environmental Report.

WK07 Land at Broadhaven Farm

Clive Teuchert (976184) - The landowner of WK07 supports the site for future housing development (assumed long term housing). The only other site on the North Head (WK04) is not offering single plots for sale.

John Russell (978206) - Objects to WK07 (assumed) as Broadhaven is already over developed, there is a large amount of fast traffic along Broadhaven Road, the residents of the neighbouring nursing home will lose their view, it will lead to the coalescence of Wick with Papigoe and Staxigoe. Girnigoe Castle is a tourist attraction and the more rural the appearance of the area the better. Housing development should be directed to the west side of Wick to benefit from the proximity to the new school.

WK09 North of Wick North Primary School

SEPA (906306) - A drain runs along the boundary of the site. Part of the site is therefore at risk of flooding. As a result SEPA object unless the following developer requirement text is added to the plan: "Flood Risk Assessment (no development in areas shown to be at risk of flooding)."

This amendment will help protect people and property from flood risk and ensure (1) compliance with the flood risk avoidance position in paragraphs 255 and 263 of Scottish Planning Policy, (2) that developers are aware that flood risk may be a constraint on development of part of the site which will assist in delivery in line with Scottish Planning Policy paragraph 30, which states that "Development plans should:…set out a spatial strategy which is both sustainable and deliverable, providing confidence to stakeholders that the outcomes can be achievable" and (3) ensure that developer requirements for all sites thought to be at risk of flooding are dealt with consistently throughout the plan. This advice is also in line with the Flood Risk Management (Scotland) Act 2009 which places responsibility on the Scottish Government, SEPA, Scottish Water and local authorities to exercise their flood risk related functions with a view to reducing overall flood risk. Such an approach is in line with the mitigation proposed in the Environmental Report.

WK10 North of Wellington Avenue

Wick Harbour Authority (980258) - Objects to the Mixed Use allocation. Consideration should be given to this area being zoned as Industry rather than Mixed Used in order to support Wick Harbour's long term development plans.

Sandra Macgregor (972167) - Respondent objects to development of WK10 due to the rural feel of the area which would be adversely impacted by development. The respondent has enjoyed the view from her property of the fields and Wick Harbour for several decades. The respondent would like to see the space promoted as a greenspace as lots of people walk their dogs there.

SNH (909933) - The text recognises the potential for an impact on "environmental designations", but does not specify which protected areas. It would be useful to identify the East Caithness Cliffs SPA and MPA as the environmental designations with the potential to be affected.

WK11 Site at The Shore

Scottish Water (953627) - Contaminated land may require a specific pipe material prior to approval for connection to the public water supply.

Ian and Katie Burns (980855) - Supports the range of uses but has concerns regarding the height of development if it were to be higher than the height of the embankment behind. Also concerned about the impacts development may have on the historic stone abutments which are acting as a support for the embankment.

WK12 Lower Pulteneytown

Robert Turner (983587) - Mr Turner submitted a petition objecting to the former MacCaughey's Boat Building yard within WK12. The following people signed the petition:

R Turner, B Ashand, S Smyth, W Feinhals, M Gill, J Scollay, G Scollay, B Scollay, R Turner, Kev McDonald, Donna E Loughlin, Louise Robertson, Christine Robertson, Sonia MacDonald, John Oman, James McCaughey, Annette Durrand, Jo Sutherland, Dane Sutherland, Alan Youngson

The petition raised the following concerns:

1. The existing building was just over one storey high and did not block out sunlight. The petitioners request that any future development of the site should not exceed one storey.
2. Lower Pulteney has conservation area status and any future building should reflect that and the Harbour heritage.
3. Noise and privacy should be considered, such that any planning permission is not given to any building erected on this site which would contravene the current noise regulations for private property.
4. The working times applicable to any commercial building erected on this site should also comply with normal working hours, and evening, night-time or Sunday industrial working is expressly forbidden in any planning approval.

The allocation allows for both industrial and housing uses which often do not make appropriate neighbouring uses. Also there are many heritage sites nearby which means the site has considerable tourism appeal.

WK14 Hillhead School

Elder (967345) - Objects to the Mixed Use allocation due to the site being surrounded by

residential properties. The respondent supports Housing uses on the site but is concerned about the uncertain future use which a Mixed Use allocation allows.

SEPA (906306) - There is a small watercourse on the boundary of the site. Therefore part of the site is at risk of flooding. As a result SEPA object unless the following developer requirement text is added to the plan: "Flood Risk Assessment (no development in areas shown to be at risk of flooding)."

This amendment will help protect people and property from flood risk and ensure (1) compliance with the flood risk avoidance position in paragraphs 255 and 263 of Scottish Planning Policy, (2) that developers are aware that flood risk may be a constraint on development of part of the site which will assist in delivery in line with Scottish Planning Policy paragraph 30, which states that "Development plans should:…set out a spatial strategy which is both sustainable and deliverable, providing confidence to stakeholders that the outcomes can be achievable" and (3) ensure that developer requirements for all sites thought to be at risk of flooding are dealt with consistently throughout the plan. This advice is also in line with the Flood Risk Management (Scotland) Act 2009 which places responsibility on the Scottish Government, SEPA, Scottish Water and local authorities to exercise their flood risk related functions with a view to reducing overall flood risk.

John Gunn & Sons Ltd (MPP 84009) - John Gunn & Sons Ltd is at present in negotiations with the Highland Council with a view to purchase and re-develop, for private housing, the area of the Hillhead Primary School. They have discussed the proposal with the planning department who are in agreement in principle but not for the former playing field area which has been shown as greenspace in the Modified Proposed Plan. The greenspace forms part of the sale, but will be of no benefit to the developer. There is an existing, quite substantial playpark, adjacent to the site, respondent states they have monitored its use since expressing their interest and it is very seldom used by children.

<u>WK15 Wick High School Building</u>

Scottish Water (953627) - Contaminated land may require a specific pipe material prior to approval for connection to the public water supply.

<u>WK16 Land at Francis Street</u>

SEPA (906306) - SEPA note that the developer requirement includes the need for a Flood Risk Assessment; however, SEPA are not aware of any flooding in this area and it is not identified as an issue in the Environmental Report. In addition SEPA have checked with your flood prevention authority colleagues and they have not identified the need for a Flood Risk Assessment for this site.

As a result, unless the Council hold information SEPA are not aware of, SEPA recommend that you reconsider whether a Flood Risk Assessment in required for this allocation.

<u>WK18 West of George Street</u>

Scottish Water (953627) - Contaminated land may require a specific pipe material prior to approval for connection to the public water supply.

Iain Banks (980087) - Supportive of the allocation and would like to see it brought back into use. Respondent raises the issue that bats may be present on the buildings along

Robert Street.

WK19 East of Wick Burial Ground

SEPA (906306) - The site is adjacent to the fluvial flood map and may be at risk of flooding. As a result SEPA object unless the following developer requirement text is added to the plan: “Flood Risk Assessment (no development in areas shown to be at risk of flooding).”

This amendment will help protect people and property from flood risk and ensure (1) compliance with the flood risk avoidance position in paragraphs 255 and 263 of Scottish Planning Policy, (2) that developers are aware that flood risk may be a constraint on development of part of the site which will assist in delivery in line with Scottish Planning Policy paragraph 30, which states that “Development plans should:…set out a spatial strategy which is both sustainable and deliverable, providing confidence to stakeholders that the outcomes can be achievable” and (3) ensure that developer requirements for all sites thought to be at risk of flooding are dealt with consistently throughout the plan. This advice is also in line with the Flood Risk Management (Scotland) Act 2009 which places responsibility on the Scottish Government, SEPA, Scottish Water and local authorities to exercise their flood risk related functions with a view to reducing overall flood risk.

Graham Begg (978528) - The landowner of WK19 has not been involved in promoting this site and is unaware of the reasons being allocated for Community uses.

WK20 and WK21

Caithness Chamber of Commerce (983321) - With regards to the two sites at which installation of Real-Time Information displays for buses are mentioned, CCC would welcome the opportunity to provide input on this matter to ensure that any areas identified for this kind of investment are aligned with the priorities of local stakeholders.

WK22 Wick Harbour

SEPA (906306) - Part of the site is within the Coastal Flood Map and is at risk of flooding. SEPA note that this allocation is for development of a harbour for industrial use. In line with the risk framework of Scottish Planning Policy, exceptions to flood risk avoidance may arise if the location is essential for operational reasons such as navigation, transport and utilities infrastructure. We are content that this exception could be applied in this case.

Implementation of the current developer requirement “Flood Risk Assessments may be required (no development in areas shown to be at risk of flooding)” is likely to result in development of the site not being possible. As a result SEPA recommend the above developer requirement is deleted and replaced with “Flood Risk Assessment required to inform layout and design. Only low vulnerability uses or operationally essential uses in areas shown to be at risk of flooding, to be accompanied by resilience measures.” Such an approach is in line with the mitigation proposed in the Environmental Report.
This amendment will ensure that development of the site can be delivered and the development type complies with the flood risk framework outlined in paragraph 263 of Scottish Planning Policy.

SNH (909933) - The text recognises the potential for an impact on “environmental designations”, but does not specify which protected areas. It would be useful to identify the

East Caithness Cliffs SPA and MPA as the environmental designations with the potential to be affected.

David Dunnett (980064) - Need to make sure the right of way stays open to the public and that the path network is maintained to a safe standard.

Wick Harbour Authority (WHA) (980258) - WHA seek clarity on what the requirements are for the Master Plan/Development Brief. Also the Plan states that existing core paths should be safeguarded. WHA would welcome a discussion with Highland Council as to how this might be achieved as to drive a path through an industrial site will be nearly impossible. Therefore WHA need to have some provision to permit re-routing/improving existing paths to provide reasonable access to roam within reason and HSE requirements.

SSE plc (983775) - Objects to the Developer Requirement for the masterplanning of the harbour as it appears to be overly onerous. It would be appropriate for the LDP to specifically note that the planning requirements that would apply to Wick Harbour will be proportionate to the scale of development envisaged.

WK23 Wick Industrial Estate

Robert Turner (983587) - Respondent submitted a petition objecting to WK23. The following people signed the petition: D Smith, E Christie, Corris Leasor, Sheila Miller, Anne Taylor, V Gunn, H Bank, J Sutherland, C Macleod, P Bruce, M Taylor, M Apperly, E Shearer, V Mackay, H Mackay, Jo Sutherland, M Cormack, James Bruce, D Rosie, P Darmag, R L Silverwood, Donald McGregor, E M Scolley, R Dunbar, S Szyfelbain, M Szyfelbain, Keith Macadie, L Macadie, W Szyfelbain, R A Szyfelbain, Rona Plowman, Kayrn Swan, Lynn Morrison, Kimberly Leith, Grace Sutherland, Merran Gunn, Fiona Miller, Katie Mackaie, Catherine McGregor, Jenny Cormack, Annette Durrand, Catherine Duffy, Claire Robertson, Barbara McLeod, Heather Miller, Angela Johnstone, Loredana Neculau, Valerie Webster, Stephanie Webster, Margaret Webster, Stacey Webster, R Turner, B A Shand, C Bain, M Stewart, J Houston, John Deverson, Lorraine Mackay, Jennifer Scott, Andrew Scott, R Turner, Louise Robertsson, Christine Robertson, Sonia MacDonald, John Oman, Alexander Mackay, Andrew Bruce, Elizabeth Richard, Margaret Richard, Tracy Macgregor, Graham Scollay, Colin Stirling, Amanda Stirling, A Johnston, R Johnston, J Nicolson, Anne Stewart, Jamie Stewart, Janis Scollay, Diane Mackenzie, Martin Mackenzie, Elizabeth Innes, John Forbes, Margaret Harper, Joy Robertson, Isobel Miller, J Ferrier, Brian Scollay, Annette Sutherland, Sharon Bremner, Allan Campbell, Catherine Miller, H Deverson, Isobel Polson, Tom Bungay, Angela Davis, Mandy Wilson, Adam Polson, James Carter, Kristeen Campbell, Martin Campbell

The main points raised within the petition include:

1. Remove the section of land which is currently green space to the south of WK23. Realign the southern boundary of the site to be in line with the road through the industrial estate (as shown in the attachment). There are a number of vacant sites within the industrial park which can accommodate development rather than the area requested to be safeguarded as Greenspace. Industrial uses are also not suitable so close to residential properties.
2. Requests that the existing greenspace area is classified as protected Greenspace, safeguarding it from any built development. The area is well used by local residents and school children, helps provide privacy and prevents noise pollution from the industrial estate. It is understood that the area was safeguarded as greenspace in

the 1980's/early 90's but the residents are unable to access the Council's archives to confirm this.

3. Requests that the existing businesses which would be included within the Greenspace area are notified that this is now a protected greenspace, and that no further building, development work, or change of use will be allowed to any building currently in this area. Furthermore, any trees currently on their sites will require regular upkeep and maintenance in accordance with relevant guidelines.
4. The greenspace area contains a number of trees which are rare and precious in Caithness. Request that the conservation of these trees is addressed and that the area is adopted by the Council, and that all such forestry work as is necessary to conserve and develop these trees is commenced in the forthcoming Financial Year 2016/2017 and is maintained in a correct conservatory manner. The area is the only main urban woodland within the Wick settlement development area (SDA) boundary.
5. The proposed Greenspace currently collects and holds a considerable amount of rainfall as surface water. It is requested that the Council addresses the drainage for this area as part of the development plan process, and that the Council renew or alter the drainage as applicable to safeguard the trees.

Modifications sought by those submitting representations:

Wick General

SNH (909933) - Add the following suggested text as a Developer Requirement:

"Development proposals will require to identify what measures will be put in place to ensure that there would be no adverse effect on the integrity of the East Caithness Cliffs SPA through increased disturbance caused by increased recreational use of the area by residents of the new housing."

New Site Suggestions

Clive Teuchert (976184) and MM Miller (976780) - Inclusion of land to the east of Murray Avenue as a Housing allocation.

Graham Begg (978528) - Inclusion of land to the south of WK02 as a Housing allocation.

George Connor (983538) - Inclusion of land at Milton as a Housing allocation.

WK01, WK02, WK03, WK17, WK19 and WK22

SNH (909933) - Add the following Developer Requirement:

"Development proposals will require to identify what measures will be put in place to ensure that there would be no adverse effect on the integrity of the East Caithness Cliffs SPA through increased disturbance caused by increased recreational use of the area by residents of the new housing."

WK03 East of Carnaby Road

SEPA (906306) - Add the following developer requirement "25 m development setback from watercourse; Avoid any discharge into the watercourse."

WK04 North of Coghill Street

SEPA (906306) - Add the following developer requirement text “Flood Risk Assessment (no development in areas shown to be at risk of flooding).”

Graeme Sutherland (976344) - Inclusion of land west of WK04 as a Housing allocation.

WK06 West of Coronation Street

SEPA (906306) - Add the following developer requirement text “Flood Risk Assessment (no development in areas shown to be at risk of flooding).”

WK07 Land at Broadhaven Farm

John Russell (978206) - Removal of Long Term Housing site WK07 (assumed).

WK09 North of Wick North Primary School

SEPA (906306) - Add the following developer requirement “Flood Risk Assessment (no development in areas shown to be at risk of flooding).”

WK10 North of Wellington Avenue

Wick Harbour Authority (980258) - Reallocate from Mixed Use to Industrial.

Sandra Macgregor (972167) - Removal of Mixed Use allocation and safeguard as Greenspace.

SNH (909933) - Identify the East Caithness Cliffs SPA and MPA as the environmental designations with the potential to be affected.

Ian and Katie Burns (980855) - Developer requirements to ensure bank stability is not jeopardised by development and that any building is no higher than the embankment (assumed).

WK12 Lower Pulteneytown

Robert Turner (983587) - Removal of Industry being part of the Mixed Use allocation on part of WK12. Developer requirements limiting height to one storey, restrictions on any noise generated and operating times and protection of privacy for neighbouring residents (assumed).

WK14 Hillhead School

Elder (967345) - Change from a Mixed Use allocation to Housing only.

SEPA (906306) - Add the following developer requirement text “Flood Risk Assessment (no development in areas shown to be at risk of flooding).”

John Gunn and Sons Ltd (MPP984009) - Request that the playing field area (shown as Greenspace) be changed to form part of the Mixed Use allocation WK14 Hillhead Primary School.

WK16 Land at Francis Street

SEPA (906306) - Reconsider whether a Flood Risk Assessment is required for this allocation.

WK19 East of Wick Burial Ground

SEPA (906306) - Add the following developer requirement text "Flood Risk Assessment (no development in areas shown to be at risk of flooding)."

WK22 Wick Harbour

SEPA (906306) - Replace existing flood risk assessment developer requirement with "Flood Risk Assessment required to inform layout and design. Only low vulnerability uses or operationally essential uses in areas shown to be at risk of flooding, to be accompanied by resilience measures."

Wick Harbour Authority (980258) - Developer requirement relating to protection of existing core path should allow for potential rerouting of the path.

SSE plc (983775) - Removal of the Developer Requirement for the masterplanning of the harbour expansion.

SNH (909933) - Developer requirement to identify the East Caithness Cliffs SPA and MPA as the environmental designations with the potential to be affected.

WK23 Wick Industrial Estate

Robert Turner (983587) - Remove the area south of the road through Wick Industrial Estate, including the existing businesses, from site WK23. Safeguard this area as Greenspace. Requests that the Council and businesses take responsibility for maintaining the trees. The Development Plan to address existing drainage issues within this area.

Summary of responses (including reasons) by planning authority:

Wick General

In relation to the comment querying a neighbouring development this is more likely to be a matter for the planning application process. Neighbour notifications at planning application stage are dealt with by Development Management rather than as part of the Development Plan preparation. Neighbours within 20 metres of the red line boundary are notified of planning applications. No modification is proposed by the Council.

Supporting comments by the Chamber of Commerce are noted.

Supporting comments by Jones Lang LaSalle relating to paragraphs 116 and 117 are noted.

Paragraph 116 refers to the 'pending' final investment decision which has now been made and the construction work of the project approved. As part of the preparation of the Modified Proposed Plan this was replaced with: "This is reinforced by the announcement that Wick will serve as the service base….". No further comments were made on this

matter during the Modified Proposed Plan consultation and the Council does not propose any additional changes.

New site suggestions

Land East of Murray Avenue

The site was not taken forward as the planning consent (08/00474/OUTCA) which was approved in 2009 has since expired. In addition, the Housing Need and Demand Assessment (HNDA) 2015 (CD10) and the Housing Background Paper (CD11) identifies a lower level of housing land supply needed for the Wick area over the Plan period than previously forecast. Although the site has some constraints, such as being close to a wastewater treatment works and on the fringes of Wick, it is recognised that there are arguments for the inclusion of the site including those raised by the landowner and the developer. These include that the site was intended to be the last phase of the development of the North Head and the road layout allows for access to be taken from Murray Avenue. As it lies within the Settlement Development Area (SDA) the principle of development is likely to be acceptable but to give greater certainty to both the neighbouring residents and the developer, and to gain greater control of its delivery, if the Reporter is so minded, the Council would be agreeable for the site to be included as a Housing allocation. If the Reporter chooses to include the site, Developer Requirements should be added to ensure the provision of suitable openspace and safeguarding of a development buffer of at least 100m from the WWTW.

Land at Milton, Wick

A large area at Milton, which was suggested to the Council by the landowner during Call for Sites stage, was assessed as part of the SEA site assessment process. It was recognised that the site benefits from being relatively close to the new high school and community campus and there is a pavement leading into Wick.

However, as part of the site assessment process it is not considered to be a suitable for inclusion in the Plan. The strategy set out in the Plan for Wick reflects the vision identified at the Wick Charrette (CD25) by focusing on regeneration and consolidation of the town rather than growing in any particular direction. The Plan has taken forward only those sites which already have planning permission or which are important brownfield regeneration sites. The Plan did not allocate any new greenfield sites in Wick. The site goes against the strategy of consolidation as it lies outwith and separated from Wick and it is greenfield land. Overall there are also other sites in Wick which are considered more suitable for housing development in the short term.

The representation from the landowner at Milton included a letter (see verbatim submission from Mr George Connor, 983538) from a local developer dating from 2008 expressing their interest in building houses on the site. Although developer interest in a site indicates a certain level of effectiveness of the site it is not a defining factor in determining its suitability. It is also noted that the letter is over 8 years old now and the developer did not submit a representation in support of the site during any of the consultation stages of CaSPlan.

As part of the review of the Development Plan the Council took a fresh look at the supply and demand for new housing in Wick. The HNDA (CD10) and the Housing Background Paper (CD11) identifies a lower level of housing land supply needed for the Wick area over

the Plan period than previously forecast. It was noted that the existing Caithness Local Plan (CD17) allocates a generous amount of housing land. Although planning consent has been granted for many of the sites allocated in the Caithness Local Plan they still contain considerable development capacity (planning permission exists for at least 167 houses). This existing capacity alone satisfies the housing land supply target for Wick with no need to allocate any other sites.

In addition, it was recently brought to the attention of the Development Plans Team that the development proposal at Milton was raised at the local community council (Tannach and District) meeting. A note distributed after the meeting stated that the community council members are strongly opposed to any development on the site.

For these reasons the Council are not minded to make the suggested modification to include the site in the Plan.

Land south of WK02

The suggested site may have some planning merit but has been lodged too late in the Plan's process to be considered. The Plan is at an advanced stage and has already included two opportunities for submissions via the Call for Sites stage in late 2013 and to the Main Issues Report in late 2014. The respondent did not lodge comment at either of these times despite extensive publicity. The Plan-led process in Scotland relies upon early and effective consideration of the environmental effects of Development Plan proposals and, in a similar way, an early and effective opportunity for the public and other potentially prejudiced parties to be able to lodge comments on development sites. The Plan is on a 5 year review cycle so a fresh Call for Sites stage is likely to commence in 2 or 3 years time which will provide an opportunity for the site to be considered for inclusion.

In addition, at this time there is no need to allocate any further development sites in Wick. The HNDA (CD10) and the Housing Background Paper (CD11) identifies a lower level of housing land supply needed for the Wick area over the Plan period than previously forecast. It was noted that the existing Caithness Local Plan (CD17) allocates a generous amount of housing land. Although planning consent has been granted for many of the sites allocated in the Caithness Local Plan they still contain considerable development capacity (planning permission exists for at least 167 houses). This existing capacity alone satisfies the housing land supply target for Wick with no need to allocate any other sites. There may be some planning merit in the proposal but at this time no new greenfield sites have been taken forward for Wick. Therefore the Council does not support the inclusion of land south of WK02. No modification is proposed by the Council.

WK01 Hill of Man

The comment made in relation to landownership and their intention for the site is noted.

WK01, WK02, WK03, WK17 and WK19

To help safeguard the integrity of the SPA, if the Reporter is so minded, the Council would be agreeable with the following Development Requirement being added "Development proposals will require to identify what measures will be put in place to ensure that there would be no adverse effect on the integrity of the East Caithness Cliffs SPA through increased disturbance caused by increased recreational use of the area by residents of the new housing."

WK03 East of Carnaby Road

The Council believes that SEPA's request is based on sound evidence. If the Reporter is so minded, the Council would be agreeable with the following Developer Requirement being added: "25 metre development setback from watercourse; Avoid any discharge into the watercourse." This will help protect significant local water users, particularly the distillery downstream, and ensure consistency with other allocations in similar catchments elsewhere in the Plan.

WK04 North of Coghill Street

Following further discussion with the Council's Community Services it has been noted that there are surface water flooding issues arising due to run off from the field above. As a result if the Reporter is so minded, the Council would be agreeable with a requirement for a Drainage Impact Assessment being added to the Developer Requirements. This would also address the flood risk concerns of a neighbouring resident who made a representation on the Plan.

The Council believes that SEPA's request is based on sound evidence. Therefore, if the Reporter is so minded, the Council is content for the following developer requirement being added: "Flood Risk Assessment (no development in areas shown at risk of flooding". This will address any issues relating to surface water drainage and flood risk which are set out in the Highland-wide Local Development Plan (HwLDP) (CD18) at Policy 64 Flood Risk and Policy 66 Surface Water Drainage and the associated Flood Risk and Drainage Impact Assessment Supplementary Guidance.

Historic Environment Scotland's support for the Developer Requirement is noted.

Land West of WK04

Although the site falls within the SDA in the adopted Caithness Local Plan (CD17) it was not suggested to us as a development site during previous stages of the preparation of CaSPlan. The Plan is now at an advanced stage and has already included two opportunities for submissions via the Call for Sites stage in late 2013 and responses to the MIR in late 2014. The respondent did not lodge comment at these times despite extensive publicity.

Given the large amount of potential Housing land identified at the call for sites stage only the most effective sites were taken forward. The points raised by the developer have been noted including previous investment in infrastructure to service the proposed site. Although the effectiveness of some of the brownfield allocations in Wick may be questionable they are in prominent locations and would greatly benefit the town if they were redeveloped.

Further investigation shows that the land west of WK04 formed part of the original application for WK04 and may have a live, 'locked-on' planning permission for housing development. Therefore, if the Reporter is so minded, the Council would be agreeable to identifying the site as either an extension of WK04 Housing allocation or a Long Term Housing site. This could help to give greater certainty to the neighbouring residents and the developer. It would also allow the Council to have greater control of its delivery.

Despite open space provision being part of the original Hillhead Development Brief (1991)

(CD32) for the area no open space was delivered. It was agreed with the developer at the last phase of WK04 that they would be required to deliver open space during the next phase. If the site were to be extended then openspace provision may be best provided near the existing play area north of the form Hillhead Primary School. Therefore, if the Reporter is so minded, the Council would be content to amend the existing Developer Requirement to "Open space to be provided through the next phase of development".

WK06 West of Coronation Street

The Council believes that SEPA's request is based on sound evidence. Therefore, if the Reporter is so minded, the Council is content for the following developer requirement being added: "Flood Risk Assessment (no development in areas shown at risk of flooding". This will address any issues relating to surface water drainage and flood risk which are set out in the HwLDP (CD18) at Policy 64 Flood Risk and Policy 66 Surface Water Drainage and the associated Flood Risk and Drainage Impact Assessment Supplementary Guidance (CD13). Such an approach is in line with the mitigation proposed in the Environmental Report (CD07).

WK07 Land at Broadhaven Farm

Support for the site is noted.

It should be noted that the site is a Long Term Housing site which provides only an indication of the likely preferred direction for growth beyond the plan period. The suitability of these sites for development has been subject of initial consideration through the preparation of this Plan. However, they are not being invited for development within this Plan period and allocated sites are expected to be developed before any long term sites can be considered.

Development of the site is not considered to lead to the coalescence of Wick, Papigoe and Staxigoe but help to round off the north eastern edge of Wick. The Settlement Development Area has been drawn in from the boundary shown in the existing local plan which will help to protect the setting of Papigoe and Staxigoe (including Girnigoe Castle) and prevent continued sprawl of Wick to the north east.

The concerns over existing traffic issues are noted. As the site was suggested to the Council at the Call for Sites stage a site assessment was carried out as part of the SEA process. Mitigation was identified to address impacts from increased levels of traffic, including extending the 20mph limit further along Broadhaven Road and creation of traffic calming measures. As the site has been identified as a Long Term Housing site no Developer Requirements have been set. If the site was taken forward as an allocation in the future it is likely that such transport requirements would be added and would address concerns raised. No modification is proposed by the Council.

WK09 North of Wick North Primary School

The Council believes that SEPA's request is based on sound evidence. Therefore, if the Reporter is so minded, the Council is content for the following developer requirement being added: "Flood Risk Assessment (no development in areas shown at risk of flooding". This will address any issues relating to surface water drainage and flood risk which are set out in the HwLDP (CD18) at Policy 64 Flood Risk and Policy 66 Surface Water Drainage and the associated Flood Risk and Drainage Impact Assessment Supplementary

Guidance (CD13).

WK10 North of Wellington Avenue

The mix of uses which the site has been identified for include only Business and Industry. This reflects the support for employment generating uses and it is anticipated that these would be associated with harbour related activities. The allocation of both Business and Industry provides a more flexible approach for future development. Given that the requirements of the marine renewables sector and the harbour expansion are still uncertain this approach is considered to be suitable. No change is proposed to the site allocation.

Although the Council are sympathetic to concerns of people who live next to potential development sites the right to a private view is not a material consideration in the planning system. Due consideration will be given at the planning application stage to any impact on residential amenity and through the HwLDP (CD18) general policy 28 Sustainable Design.

Resulting from discussions with SNH regarding the HRA the following mitigation was identified: “Development proposals will require to identify what measures will be put in place to ensure that there would be no adverse effect on the integrity of the East Caithness Cliffs SPA caused by development of and activities arising from development of the harbour area (for example, measures to ensure no additional disturbance to birds using the cliffs and minimise effects on feeding and resting grounds out to sea).” As the HRA requires to be signed off by SNH for the plan to be adopted, the Council is content for this developer requirement to be added to this site.

SNH had requested to replace the reference to “surrounding environmental designations” with “East Caithness Cliffs SPA and MPA”. Recent discussions with SNH regarding the HRA have provided mitigation which supersedes the reference to the SPA. Should the Reporter be so minded the Council are content with the following Developer Requirement being added with reference to the East Caithness Cliffs MPA “Demonstration that there will be no adverse effect on the East Caithness Cliffs MPA”.

WK11 Site at The Shore

The comment from Scottish Water is noted. It is expected that the pipe material for a water supply would be identified at planning application stage.

The support for the Mixed Use allocation is noted.
The Council are not minded to add any additional Development Requirements in terms of the height of the building, residential amenity or the stability of the cliff as these are issues which will be given due consideration at the planning application.

No modifications are proposed by the Council.

WK12 Lower Pulteneytown

In response to the points raised in the petition:

1. The Council are not minded to add any additional Development Requirements in terms of the height of the building or residential amenity as these are issues which will be given due consideration through any planning application.

2. The Council agrees with the statement regarding development within conservation areas. The Council is required to implement appropriate controls over development, demolition and advertising to safeguard and enhance conservation areas. Most works to the outside of a building or structure in a conservation area require planning permission and listed building consent. Development must comply with policies set out within the HwLDP (CD18) and national guidance.
3. Residential amenity and construction operation hours are issues which will be given due consideration at the planning application stage.
4. Residential amenity and commercial operation hours are issues which will be given due consideration at the planning application stage.

Due to the heritage value of Lower Pulteneytown the allocation already identifies Tourism as a potential use. A wide range of uses were identified to provide flexibility and encourage renovation and redevelopment of key vacant and derelict sites.

No modifications are proposed by the Council.

<u>WK14 Hillhead School</u>

The range of uses which have been included in the allocation seek to encourage its redevelopment. The uses taken forward have also been identified as suitable for residential areas. It is recognised that Housing is likely to be the most attractive use to a developer given its location. No modification is proposed by the Council.

The Council believes that SEPA's request is based on sound evidence. Therefore, if the Reporter is so minded, the Council is content for the following developer requirement being added: "Flood Risk Assessment (no development in areas shown at risk of flooding". This will address any issues relating to surface water drainage and flood risk which are set out in the HwLDP (CD18) in Policy 64 Flood Risk and Policy 66 Surface Water Drainage and the associated Flood Risk and Drainage Impact Assessment Supplementary Guidance (13).

The Hillhead Primary School site was included as a 'preferred' site within the Main Issues Report (CD04) as it was identified by the Council to be surplus to requirements in early 2016. The playing field north of the primary school was included within the MIR site as it was considered to be beneficial to its prospects of being redeveloped. Several residents of Broadhaven submitted comments during the MIR consultation opposing residential development in the area. One of the main reasons cited was the lack of any formal greenspace delivered as part of the wider development of the North Head area. To address this issue the former playing fields north of Hillhead Primary School were shown as Greenspace and excluded from allocation WK14, as shown in the Proposed Plan (CD03) and Modified Proposed Plan.

During the consultation on the Proposed Plan the developer of the neighbouring land WK04 North of Coghill Street requested that the boundary of the site be extended to the area north of the school playing field as it had formed part of the original application (02/00165/FULCA). Investigation found that although the application appeared to be locked on (as development had commenced shortly after permission was granted) the developer had not delivered any openspace provision despite it being identified within the original Hillhead Development Brief (1991) (CD32). As highlighted in WK04 above, to address this the Council would be content, should the Reporter be so minded, with a Developer Requirement being added to WK04 to ensure that "Open space to be provided

in the next phase of development."

Due to the lack of formal greenspace in the area and problems with ensuring sufficient provision as part of developments in recent decades the Council does not propose to include the Greenspace within the Mixed Use allocation WK14. To clarify and strengthen the existing reference to openspace provision within the Developer Requirements for WK14 the Council would be content if the Reporter was so minded to replace "Play ground area should be retained for public access" with "The playing fields to the north of WK14 must be protected from development and, where possible, enhanced". The level of openspace provision relating to development of WK14 would therefore be decided against the standard criteria set out in Policy 75 of the HwLDP (CD18) and the Open Space in New Residential Developments Supplementary Guidance (CD22).

As noted above, the Council wishes to encourage the redevelopment of the now vacant Hillhead Primary School building. Therefore, should the Reporter be so minded to agree more with the Objector and hence to include the Greenspace within WK14, then the Council would urge the Reporter to amend the Developer Requirement to read: "Should an application for development be forthcoming which development on the playing field then compensatory Greenspace (with no net loss in quality/quantity) must be provided which adequately serves the needs of the Hillhead area".

WK15 Wick High School Building

The comment from Scottish Water is noted. It is expected that the pipe material for a water supply would be identified at planning application stage. No modification is proposed by the Council.

WK16 Land at Francis Street

The Council believes that SEPA's comments are based on sound evidence. If the Reporter is so minded, the Council is content for the developer requirement for a Flood Risk Assessment to be removed, based on the advice from SEPA and the Council's Flood Risk Team.

WK18 West of George Street

The comment from Scottish Water is noted. It is expected that the pipe material for a water supply would be identified at planning application stage.

Support for the Mixed Use allocation is noted. A bat survey is already identified as a Developer Requirement.

No modification is proposed by the Council.

WK19 East of Wick Burial Ground

The Council believes that SEPA's request is based on sound evidence. Therefore, if the Reporter is so minded, the Council is content for the following developer requirement being added: "Flood Risk Assessment (no development in areas shown at risk of flooding". This will address any issues relating to surface water drainage and flood risk which are set out in the Highland-wide Local Development Plan (CD18) at Policy 64 Flood Risk and Policy 66 Surface Water Drainage and the associated Flood Risk and Drainage Impact

Assessment Supplementary Guidance (CD13). Such an approach is in line with the mitigation proposed in the Environmental Report (CD07).

The site was suggested to the Council by the Community Services section of the Council as a possible extension to the cemetery. As a result the site has been taken forward as Community allocation in the Plan. No modification is proposed to the Plan.

WK20 and WK21

The comments by the Chamber of Commerce are noted.

WK22 Wick Harbour

The Council believes that SEPA's request is based on sound evidence. Therefore, if the Reporter is so minded, the Council is content for the following developer requirement being deleted and replaced with "Flood Risk Assessment required to inform layout and design. Only low vulnerability uses or operationally essential uses in areas shown to be at risk of flooding, to be accompanied by resilience measures."

Resulting from discussions with SNH regarding the HRA (CD09) the following mitigation was identified: "Development proposals will require to identify what measures will be put in place to ensure that there would be no adverse effect on the integrity of the East Caithness Cliffs SPA caused by development of and activities arising from development of the harbour area (for example, measures to ensure no additional disturbance to birds using the cliffs and minimise effects on feeding and resting grounds out to sea)." As the HRA requires to be signed off by SNH for the plan to be adopted, if the Reporter is so minded, the Council is content for this Developer Requirement to be added to this site.

SNH had requested to replace the reference to "surrounding environmental designations" with "East Caithness Cliffs SPA and MPA". Recent discussions with SNH regarding the HRA have provided mitigation which supersedes the reference to the SPA. Should the Reporter be so minded the Council are content with the following Developer Requirement being added with reference to the East Caithness Cliffs MPA "Demonstration that there will be no adverse effect on the East Caithness Cliffs MPA".

The existing core path which runs through WK22 Wick Harbour has been a popular coastal path. However the former quarries at the South Head form important parts of the long term expansion plans of Wick Harbour Authority. Given the importance of harbour for the future growth of the local economy it is recognised that imposing a requirement to safeguard the existing core path may hinder development proposals. Due to its location close to the coast the path is also prone to storm damage. As a result if the Reporter is so minded the Council would be content with the Developer Requirement being amended to: "Safeguard and improve core path where possible, re-routing may be appropriate".

The Developer Requirement for a masterplan/development brief reflects Policy 2 Delivering Development in CaSPlan which requires all larger developments to be appropriately masterplanned. Paragraph 46 of the plan notes that masterplanning of larger developments can make a positive contribution to the creation of high quality, sustainable and successful places. It is an effective tool for engaging the community and others in the planning process to deliver high quality environments, good transport connections and well designed developments. As such, the Plan encourages a masterplanned approach to new developments which should be carried out at the earliest

possible opportunity and taken into consideration at all stages of the planning application process. Each phase of development will need to show its relationship to the overall masterplan and demonstrate how the required infrastructure will be delivered. The requirements of the masterplan must be appropriate to the type and scale of development proposed for WK22 and should be agreed in advance of any planning application coming forward.

WK23 Wick Industrial Estate

The Industrial Estate was created several decades ago and is now well established. However, with the potential need for business and industrial sites resulting from the growing offshore renewables industry the site was allocated for Industrial uses in the Plan to promote the development opportunities which still exist. The industrial estate benefits from large areas of greenspace including both undeveloped industrial plots and a network of green spaces which run through the estate.

The woodland to the south provides an important buffer between the residential properties at Hill Avenue and the Industrial Estate. It is understood that the woodland helps to reduce noise from activities within the Industrial Estate and at the airport. It is also recognised that the woodland is of local importance as an amenity area for local residents including an informal play area for children. However, the suggested realignment of the southern boundary of WK23 to the road running through the estate and the identification of the land as the area as Greenspace is not appropriate given commercial properties/ businesses which currently operate there. The request that existing businesses will not be permitted to carry out any further development is unreasonable and could unnecessarily constrain local businesses. Issues arising from further development (such as the impact on the amenity of local residents) would be considered at planning application stage and determined against Council and national policies.

The Council acknowledges however that the local community would take greater comfort if the Plan were to refer explicitly to this issue in respect of this site, rather than relying solely on the application of general policies. Given that in certain other locations the Plan identifies specific locations for expansion of the green network, the Council acknowledges that this would be a suitable option in this case and commends it to the Reporter for consideration. Therefore if the Reporter is so minded, the Council would be content with the area between the existing businesses at the industrial estate and the properties of Hill Avenue and North Road remaining within the Industrial allocation but with the existing woodland (excluding the recently approved application 15/03666/FUL) being identified as Expansion of the Green Network. In addition the following Developer Requirement could be added: “Development at the southern part of the WK23 must avoid and where appropriate enhance the woodland area as part of the Green Network”. This will ensure that the area is safeguarded from development and, where possible, development could be used to enhance the woodland area.

The petition also indicated a desire to set up a community group to enhance and manage the woodland. As this is not yet a formalised community initiative the Council do not propose to amend the Plan to specifically refer to any such arrangements. However if a such a community initiative is formed in the future it may be considered for inclusion in the Action Programme.

Reporter's conclusions:

Wick general

1. The query raised by residents of Whitehouse Park about consultation in the event that a planning application is submitted for development on land next to their property is not a matter for the Local Development Plan. Nonetheless, the council has explained the arrangements which would apply.

2. I note that there is general support for the Plan's proposals for Wick from Caithness Chamber of Commerce, and support from SSE plc for the specific paragraphs of the Plan which address the future of the harbour area where the service base for the Beatrice offshore windfarm is to be located.

Land east of Murray Avenue

3. This site comprises an undeveloped field at North Head, in the Broadhaven part of the town on the far north eastern edge of Wick. It is a relatively exposed area of land bounded by residential properties on its west and north sides, a core path to the south, and a waste water treatment works to the east. There are potential access points from Murray Avenue and South View, within the estate of bungalows to the west.

4. Although the site is on the edge of the town, it lies within the defined settlement boundary area, and its development might be regarded as a consolidation or rounding off of this part of Wick. Vehicle access to the site along Willowbank and Broadhaven Road is lengthy and somewhat restricted by roadside parking, but it is on a bus route and there is a footpath to The Shore and the town centre (North Head Path). A buffer of 100 metres or more could be applied between the houses and the waste water treatment works.

5. The outline planning permission in 2009 to develop the land for housing has lapsed. However, the Caithness Local Plan allocated this 4 hectare greenfield site for residential development, with an indicative capacity of 40 houses. Proposals were to incorporate an area of 0.5 hectares for a kickabout/play space which could be sited within the safeguarding area for the waste water treatment plant.

6. There is no suggestion that the land is no longer suitable for development at some stage. Indeed, the planning authority acknowledges that the site was intended to be the final phase of housing at North Head, and that the adjoining estate was laid out to enable access to the land for development. The site was subject to strategic environmental assessment (SEA) in the preparation of the Plan.

7. Although it states that there is less demand for housing in Wick than previously understood, the planning authority accepts that the land east of Murray Avenue is suitable in principle for residential development, and I can see no reason why it should not be allocated as such, and thereby contribute to meeting the housing land requirement for the area. Accordingly, I propose to amend the Plan to identify the land as a housing site, but subject to the Developer Requirements suggested by the planning authority.

Land at Milton, west of Wick

8. This site of over 4 hectares comprises a field of rising pasture land on the south side of the A882 Wick-Thurso road at Milton, to the west of Wick. There is a clear gap between

the existing urban edge at Janetstown and the freestanding cluster of houses at Milton (where there is a bus stop and post box), which would be significantly eroded if this field was developed for housing.

9. I note that the site has mains services, and that there is a pavement on the opposite side of the A882, but it is a long walk into town from this point and I would expect most journeys to be by car. Moreover, I consider that the development of the site would be at odds with the strategy of the Plan to concentrate on regenerating the existing fabric of Wick rather than allowing the town to spread into the adjoining countryside.

10. There is also no need to identify new greenfield land outwith the boundaries of the town to meet housing requirements, as there are already sufficient unbuilt housing sites which were allocated in the Caithness Local Plan and remain available for development. Therefore, I do not propose to modify the Plan to allocate the land at Milton as a housing site.

Land south of WK02

11. This representation relates to an extensive area of farmland on either side of March Road, which runs east from the A99 south of the Wick settlement boundary. Although there is planned development ongoing within site WK02, immediately to the north, and an adjoining area of 1.1 hectares has been allocated for the expansion of the town cemetery, the current proposal would represent a substantial encroachment into the countryside which forms the setting of Wick on its south side.

12. I note that the site has not been tested through the SEA process, and has not been the subject of consultation with statutory bodies or the local community, so their views are unknown. In any case, (as indicated above) there is no need for the Plan to identify new greenfield land outwith the boundaries of Wick to meet housing requirements, as there are already sufficient unbuilt housing sites which were allocated in the Caithness Local Plan and remain available for development.

13. Accordingly, I do not propose to modify the Plan in the light of this representation.

WK01 Hill of Man

14. This 5.5 hectare site with an indicative housing capacity of 55 houses already has outline planning permission. The Developer Requirements make no reference to affordable housing, or to housing tenure, and therefore there is no need to modify the Plan in the light of the representation.

WK01, WK02, WK03, WK17, WK19 and WK22

15. Paragraph 121 of the Plan highlights the above allocations as potentially having an effect on the East Caithness Cliffs Special Protection Area (SPA), and states that any development of these sites will be required to assess and demonstrate appropriate mitigation measures which avoid any adverse effect on the integrity of the SPA.

16. However, I agree that this constraint should also be included within the Developer Requirements for sites WK01, WK02, WK03, WK17 and WK19, and intend to amend the Plan accordingly. I discuss Scottish Natural Heritage's comments on the industrial site WK22 below.

WK03 East of Carnaby Road

17. Although the Developer Requirements for this housing site note that a flood risk assessment may be required, they do not reflect the importance of the Mill Lade which crosses the site as the source of water for the nearby Old Pulteney Distillery. I consider that the Scottish Environment Protection Agency (SEPA)'s suggested amendment, which is supported by the planning authority, would remedy that omission and would protect local water users.

WK04 North of Coghill Street

18. This housing site of 5.2 hectares has an indicative housing capacity of 45 houses. The Developer Requirements for site WK04 require, amongst other things, that a minimum buffer of 20 metres be maintained from the scheduled monument at Hillhead Broch (the Pap), in the north east corner of the site, and that sensitive siting and design be employed. These safeguards reflect the advice of Historic Environment Scotland.

19. However, it is necessary for the Developer Requirements to recognise the potential for flooding from the small watercourse which crosses the site, and the need to avoid development in affected areas, as advised by SEPA.

20. It is clear from the representation from a resident in Broadhaven Road that the existing development of housing at Coghill Street has already caused significant disruption to nearby properties, due to surface water runoff from the site. It is essential that this problem is resolved, or at the very least is not exacerbated, when the remaining land to the north of Coghill Street is developed for housing. I therefore propose to adopt the planning authority's suggestion that a drainage impact assessment is added to the Developer Requirements for site WK04.

Land west of WK04

21. Site WK04 forms part of a larger site with full planning permission for a development of 48 houses, granted in 2002. Part of the development has been built, and the permission is still extant. Indeed, the predecessor council identified the entire 7 hectare site, including land to the north of (what is now the former) Hillhead Primary School and playground, as suitable for housing development as early as 1991, when it produced a development brief for Hillhead to set an overall framework for its release and development. The additional area was also contained within the boundary of Wick which was defined in the Caithness Local Plan.

22. Given that the planning authority has apparently supported the development of the extended site for over 25 years, and has granted planning permission for housing on the wider area, I can see no justification for excluding it from the Plan. I therefore propose to extend site WK04 so that it accords with the boundary and terms of the planning permission.

23. I can understand the planning authority's concern that open space has yet to be provided, even though that was a requirement of the original development brief. I intend to address the point by adding a Developer Requirement to that effect within the Plan.

WK06 West of Coronation Street

24. This site of 8.1 hectares is located on the western edge of Wick and is identified as a long-term housing site. The land is low lying and damp, and used for rough grazing. Contrary to the statement by SEPA, the site does not lie adjacent to the River Wick, but any development is likely to require a flood risk assessment.

25. However, the Glossary in the Plan makes clear that long-term sites merely indicate the likely preferred direction for growth beyond the Plan period. Future reviews of the Plan will consider bringing forward these sites, but subject to further assessment and identification of Developer Requirements.

26. The description of site WK06 confirms that the site is not invited for development within this Plan period, and that Developer Requirements have not been identified in the Plan. Accordingly, it would be inappropriate to add Developer Requirements for long term site WK06, and I do not propose to modify the Plan in the light of the representation.

WK07 Land at Broadhaven Farm

27. This area of land (3.7 hectares) on the north east edge of Wick is identified as a long term housing site. It is bounded by Broadhaven Road to the south, Seaview House Nursing Home and housing site WK04 to the west, and Broadhaven Farm to the north east.

28. The proposal is supported by the land owner. I can see the planning authority's argument that the development of the site for housing would represent a rounding off of the town at this point, and I note that the development boundary in the Plan does not extend so far north east as the settlement boundary which was defined in the Caithness Local Plan.

29. However, the area of land concerned is very open and rural in character and offers views into the countryside beyond, and I consider that it provides an important break on the north side of the road between the edge of the built up area of Wick and the more sporadic development towards the outlying settlements of Papigoe and Staxigoe. Moreover, the proposed northern boundary to site WK07 does not appear to follow any defined features on the ground.

30. I also understand the concern about the potential impact of additional traffic along the approach roads which, as I have already stated above, are constrained by on street parking. I acknowledge that traffic speeds could be contained by lower speed limits and traffic calming measures. However, given the scale of development already envisaged in this area (totalling over 100 houses), including housing site WK04, mixed use site WK14, and the land east of Murray Avenue where planning permission for housing has been granted in the past, I am not convinced that it is appropriate to identify site WK07 as a long term housing site in the Plan.

31. I therefore propose to delete long term housing site WK07 from the Plan.

WK09 North of Wick North Primary School

32. This 8.3 hectare mixed use site opposite Wick Industrial Estate is identified for business and industrial purposes. In view of the presence of a drain on the boundary of

the site, it is appropriate to include the requirement for a flood risk assessment as requested by SEPA, and I propose to modify the Plan accordingly.

WK10 North of Wellington Avenue

33. This is a mixed use allocation (business, industrial) on a gently shelving area of undeveloped land of 2.2 hectares north of Wellington Avenue, close to South Head. To the west of the site is an amenity area with established housing beyond, and to the south is housing site WK01 (Hill of Man). A core path crosses the site. At the rear of the site, the land falls sharply down to the coast at site WK22 (Wick Harbour).

34. If taken forward as part of harbour related expansion, the developer is required to prepare a masterplan/development brief for this site and WK22, in consultation with environmental agencies and other stakeholders.

35. I can appreciate that local residents would wish that the site is retained as a greenspace, and that their uninterrupted views across the site are maintained. However, it is important that land is made available to allow Wick Harbour to take advantage of the opportunities presented by the energy sector, and in particular renewable energy. The site at WK10, together with the adjacent WK22, is well placed to cater for those needs, and therefore I would not support the removal of WK10 from the Plan.

36. The Plan advises that the need to upgrade the harbour and expand its facilities to meet the needs of this growing industry is reinforced by the announcement that Wick is to be the service base for the Beatrice windfarm. There may be further opportunities associated with wave and tidal power and offshore oil and gas. The opportunities may arise in either business or industrial uses, so I agree with the planning authority that the mixed use allocation is appropriate.

37. I note that Scottish Natural Heritage (SNH) has asked that the Developer Requirements for WK10 refer specifically to the East Caithness Cliffs Special Protection Area (SPA) and Marine Protection Area (MPA). Although the council indicates that the SPA issue can be resolved by mitigation, I consider that both of these international designations should be mentioned, to ensure that the development has no adverse effect on their integrity.

WK11 Site at The Shore

38. This 0.5 hectare site encompasses derelict former industrial buildings on the roadside, a traditional 3 storey stone building at the rear which appears to retain the steep embankment behind, and an area of hardstanding on the opposite side of the road which is currently used for informal car parking. Due to its location close to the town centre and the undoubted historic interest of the buildings, the site has potential for a range of uses.

39. The Plan identifies the site for mixed use (business, tourism and retail), which is welcomed by the residents in Whitehouse Park to the rear. However, they raise legitimate concerns to ensure that any new development stabilises the embankment and does not protrude higher than the top of the bank. I consider that maintaining the stability of the bank should be an essential prerequisite of any redevelopment, as would ensuring that the development did not impinge unduly on the residential amenity of the houses to the rear. I therefore intend to expand the Developer Requirements for site WK11 to take account of these relevant considerations.

40. I note the comment by Scottish Water about contaminated land, but the choice of material for the water supply pipe will be a matter between Scottish Water and the developer, and is not a concern of the Local Development Plan.

WK12 Lower Pulteneytown

41. The Plan identifies Pulteneytown as a key part of the area's heritage, which is designated as a conservation area. It reports that many of the historic buildings are empty or derelict, and offer opportunities for conversion and redevelopment into commercial, tourism, community or residential uses. One of the Placemaking Priorities is to enhance Lower Pulteneytown through building on the vibrant uses which already exist, and to regenerate vacant and derelict sites.

42. WK12 therefore allocates the area (almost 6 hectares) of Pulteneytown between Bank Row/Union Street, the Inner Harbour and the river for mixed use – i.e. community, business, tourism, leisure, industrial and retail.

43. I noted on my site visit that Lower Pulteneytown is already an area of mixed uses, incorporating streets of housing (e.g. Telford Road), commercial (e.g. Harbour Quay), and industry/workshops. Some of the commercial/industrial buildings are derelict, and others are undergoing renovation. It is an area of great historic interest, which urgently requires regeneration, and which has potential for a variety of activities including tourism and commercial.

44. However, I consider that the petition signed by 20 local residents highlights a justified concern that any redevelopment of the former boat building yard between Rose Street, Bank Row and Harbour Quay is mindful of the nearby residents. I can appreciate the council's reluctance to be unduly prescriptive at this stage when there is no specific scheme for the site, but I do consider that the Developer Requirements for Lower Pulteneytown should acknowledge the need to take into account the amenity of existing residents when formulating detailed proposals.

45. The cheek by jowl proximity of housing and workshops is one of the defining characteristics of the area, but the Plan requires to recognise the implications of that relationship for redevelopment proposals. I propose to amend the Plan accordingly.

WK14 Hillhead Primary School

46. This allocation comprises the one hectare site of the former Hillhead Primary School, and is identified for mixed use (housing, community, business). A small field (of approximately 0.3 hectares) to the rear which was previously the school playing field, together with an adjoining public playpark, is allocated as Greenspace in the Plan.

47. The former school site lies within a wholly residential area, with existing housing to the west, south and east, and potential housing to the north (see discussion of land west of WK04 above) beyond the allocated Greenspace. Whilst it is possible to envisage some form of community use on the site, the planning authority has failed to justify the need for business use, and I can understand the anxiety of nearby residents in this case, to avoid any development which would be incompatible with its surroundings.

48. There are numerous alternative locations in Wick for business development, including extensive areas at Wick Business Park (WK20 and WK21), whereas there is active

interest in developing WK14 for housing. I therefore propose to limit the mixed use allocation at WK14 to housing and community use.

49. I can understand the argument for including the unused former school playing field, which forms part of the sale, within the allocation at WK14. There is an extensive, and apparently under used, area of grassed amenity land with minimal play equipment, on adjoining land to the west. In addition, it is to be a requirement of the extended housing allocation at WK04 that open space be provided in the next phase of that development, which lies immediately to the north of the proposed greenspace.

50. With that in mind I can see no reason to exclude the former school field from the mixed use allocation at WK14, or to require further compensatory provision to be made to replace the playing field. I therefore propose to amend the Plan, and to adjust the site area and indicative housing capacity accordingly.

51. In the light of SEPA's observation about the potential flooding implications of the small watercourse on the site boundary, I also propose to amend the Plan to incorporate the requirement to carry out a flood risk assessment.

WK15 Wick High School Building

52. I note the comment by Scottish Water about contaminated land, but the choice of material for the water supply pipe will be a matter between Scottish Water and the developer, and is not a concern of the Local Development Plan.

WK16 Land at Francis Street

53. The planning authority accepts SEPA's advice that there is no history of flooding in the vicinity of this site, and I therefore propose to delete the requirement that a flood risk assessment be carried out at WK16.

WK18 West of George Street

54. There is support for this mixed use (housing, business) allocation, which concerns the redevelopment of an apparently unused industrial building to the west of George Street. The Developer Requirements indicate that a bat survey may be required, so there is no need to amend the Plan in the light of the representation.

55. I note the comment by Scottish Water about contaminated land, but the choice of material for the water supply pipe will be a matter between Scottish Water and the developer, and is not a concern of the Local Development Plan.

WK19 East of Wick Burial Ground

56. This area of 1.1 hectares on the southern edge of Wick is allocated for community use to allow for the expansion of the adjoining cemetery. The Developer Requirements acknowledge that the suitability of the site may be affected by an investigation into the impact on groundwater conditions. They should also reflect SEPA's advice that the site may be at risk from fluvial flooding, and I propose to amend the requirements as the planning authority now proposes.

WK20 and WK21

57. I note the Community Council's support for the proposal in the Plan to install real time information displays for buses at Wick Business Park and the proposed northward extension to the business park.

WK22 Wick Harbour

58. As already stated, the Plan underlines the need for the harbour to upgrade and expand its facilities to meet the needs of the growing renewable energy sector, particularly in the light of the announcement that Wick is to be the service base for the construction and operation of the Beatrice offshore windfarm in the outer Moray Firth.

59. To that end the Plan identifies an area of over 21 hectares at Wick Harbour for industry. This comprises the river basin, and the inner and outer harbours, and their surrounds, together with the coastal fringe running south east towards South Head.

60. I agree that the standard Developer Requirement that a flood risk assessment may be required (no development in areas shown at risk of coastal flooding) does not address the unique circumstances of the harbour location. Indeed, it could prevent the development going ahead. Site WK21 is at risk from coastal flooding, but SEPA accepts that the allocation benefits from the exception allowed where the location is essential for development required for navigation, transport and utilities infrastructure.

61. I therefore propose to amend the developer requirement to ensure that the site can be developed in line with the flood risk framework set out in Scottish Planning Policy, and subject to appropriate mitigation measures.

62. I note that Scottish Natural Heritage (SNH) has asked in its representation that the developer requirements for WK22 refer specifically to the East Caithness Cliffs Special Protection Area (SPA) and Marine Protection Area (MPA). Although the council indicates that the SPA issue can be resolved by mitigation, I consider both of these international designations should be included to ensure that the development has no adverse effect on their integrity.

63. I do not, however, propose to add the more detailed wording now suggested by the council, which does not derive from the terms of the representation before me.

64. The core path running through site WK22 to South Head and beyond is an important walking route which requires to be retained when the land is developed for industry. However, I accept the point made by Wick Harbour Authority that the alignment of the path may need to be adjusted to accommodate the development. I therefore propose to adopt the planning authority's suggested amended wording, which would safeguard the core path but allow it to be re-routed if necessary.

65. The Plan requires the developer of WK22 to prepare a masterplan/ development brief in consultation with relevant environmental agencies and other stakeholders, to be agreed with the planning authority who may adopt it as Supplementary Guidance. On a site of this scale and importance I regard this approach as essential if the development is to be brought forward in a coherent and efficient manner that involves all the relevant parties. Otherwise there is a risk that development would be unplanned and piecemeal.

66. The requirement for a masterplan is consistent with the provisions of Policy 2: Delivering Development of the Plan, which states that larger sites must be appropriately masterplanned, and that each phase of development will need to show its relationship to this overall masterplan and demonstrate how the required infrastructure will be delivered. This approach is promoted for areas of large scale change in the Scottish Government's Planning Advice Note on Master Planning (PAN83).

67. Therefore, I do not propose to remove the requirement for a masterplan at site WK22: Wick Harbour.

WK23 Wick Industrial Estate

68. This proposal has attracted a petition of objection with over 100 signatories who submit that the area allocated for industry should be substantially reduced.

69. This industrial estate lies at the northern edge of the town, adjacent to Wick Airport. The allocation covers an area of 16.8 hectares, much of which has already been developed with a variety of units, including airport, maritime, vehicle and distribution businesses. The planning authority sees further potential for businesses associated with the offshore renewables industry to locate there.

70. Between the main distributor road serving the industrial estate and the houses in Hill Avenue and North Road there is a substantial woodland buffer, which is a highly valued local amenity and helps to mitigate the impact of the industrial activities on the nearest residents. However, there are already several established industrial units on the south side of the road nearest the houses, and planning permission has been granted for a distribution warehouse on the largest undeveloped area on the same side of the road.

71. I consider that a blanket ban on developing on the south side of the road would not be feasible, as it would unduly constrain the operation of existing and future businesses within the industrial estate. Nonetheless, I agree that it is important to maintain the separation between the houses and the industrial activities, and to safeguard the woodland for its important amenity function that is enjoyed by local residents.

72. I am content that the planning authority's suggested alternative, whereby the undeveloped woodland area is identified in the Plan as Expansion of Green Network, and is to be safeguarded and enhanced, would achieve those objectives whilst allowing the industrial estate to grow in a sympathetic manner. However, the arrangements for the future management and enhancement of the woodland fall outwith the scope of this Local Development Plan.

Reporter's recommendations:

I recommend that the following modifications be made:

Land east of Murray Avenue

1. Under the Wick section of the Caithness Settlements, add a new allocation as follows:

Ref: East of Murray Avenue
Use: Housing
Area (ha): 4.0

Indicative Housing Capacity: 40
Developer Requirements: "Ensure the provision of suitable open space; Safeguard a development buffer of at least 100 metres from the Waste Water Treatment Works."

2. Under the Wick section of the Caithness Settlements (Settlement Map), page 42, add a new housing allocation east of Murray Avenue to accord with housing allocation 12(b) – Broadhaven East – in the Caithness Local Plan.

WK01, WK02, WK03, WK17 and WK19

3. Under the Wick section of the Caithness Settlements, pages 44, 45 and 48, add the following Developer Requirement for each of sites WK01, WK02, WK03, WK17 and WK19 to read:

"Development proposals will require to identify what measures will be put in place to ensure that there would be no adverse effect on the integrity of the East Caithness Cliffs SPA through increased disturbance caused by increased recreational use of the area by residents of the new housing."

WK03 East of Carnaby Road

4. Under the Wick section of the Caithness Settlements, page 45, add the following Developer Requirement to read:

"25 metre development setback from watercourse; Avoid any discharge into the watercourse."

WK04 North of Coghill Street

5. Under the Wick section of the Caithness Settlements (Settlement Map), page 42, extend the boundary of site WK04 and the settlement boundary, to accord with the approved site plan for planning permission 02/00165/FULCA.

6. Under the Wick section of the Caithness Settlements, page 45, amend the description of the site to read:

"Area (ha): 7.0
Indicative Housing Capacity: 48".

7. Under the Wick section of the Caithness Settlements, page 45, add the following Developer Requirements to read:

"Flood Risk Assessment (no development in areas shown to be at risk of flooding) and Drainage Impact Assessment"; and "Open space to be provided through the next phase of development."

WK07: Land at Broadhaven Farm

8. Under the Wick section of the Caithness Settlements, page 46, remove the reference to the Long Term Housing proposal at WK07.

9. Under the Wick section of the Caithness Settlements (Settlement Map), page 42, remove the reference to WK07.

WK09 North of Wick North Primary School

10. Under the Wick section of the Caithness Settlements, page 46, add the following Developer Requirement to read:

"Flood Risk Assessment (no development in areas shown to be at risk of flooding)."

WK10 North of Wellington Avenue

11. Under the Wick section of the Caithness Settlements, page 46, amend the Developer Requirement relating to environmental designations to read:

"Demonstration that there will be no adverse effect on the East Caithness Cliffs SPA and MPA."

WK11 Site at The Shore

12. Under the Wick section of the Caithness Settlements, page 47, add the following Developer Requirements to read:

"Proposals to maintain the stability of the embankment to the rear, and not to protrude higher than the top of the bank."

WK12 Lower Pulteneytown

13. Under the Wick section of the Caithness Settlements, page 47, amend the Developer Requirements to include:

"Sensitive siting and design due to being within a Conservation Area and due to the proximity of Listed Buildings and residential properties."

WK14 Hillhead School

14. Under the Wick section of the Caithness Settlements, page 42, amend the Settlement Map to include the former school playing field within the mixed use allocation at WK14.

15. Under the Wick section of the Caithness Settlements, page 47, amend the allocation for WK14 to read:

"Use: Mixed Use (Housing, Community)
Area: 1.3
Indicative Housing Capacity: 18".

16. Under the Wick section of the Caithness Settlements, page 47, add the following Developer Requirement to read:

"Flood Risk Assessment (no development in areas shown to be at risk of flooding)."

WK16: Land at Francis Street

17. Under the Wick section of the Caithness Settlements, page 48, amend the Developer Requirements, by deleting the words:

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

WK19 East of Wick Burial Ground

18. Under the Wick section of the Caithness Settlements, page 48, add the following Developer Requirement to read:

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

WK22 Wick Harbour

19. Under the Wick section of the Caithness Settlements, page 49, amend the Developer Requirements relating to flood risk, environmental designations and core path, respectively, to read:

“Flood Risk Assessment required to inform layout and design. Only low vulnerability uses or operationally essential uses in areas shown to be at risk of flooding, to be accompanied by resilience measures.”

“Demonstration that there will be no adverse effect on the East Caithness Cliffs SPA and MPA.”

“Safeguard and improve core path where possible, re-routing may be appropriate.”

WK23 Wick Industrial Estate

20. Under the Wick section of the Caithness Settlements (Settlement Map), page 42, identify the woodland area between the existing businesses at the industrial estate and the properties of Hill Avenue and North Road (but excluding the recently approved application 15/03666/FUL) as Expansion of the Green Network.

21. Under the Wick section of the Caithness Settlements, page 49, add the following Developer Requirement to read:

“Development at the southern part of the WK23 must avoid and where appropriate enhance the woodland area as part of the Green Network.”

Issue 14	**Economic Development Areas**	
Development plan reference:	Economic Development Areas: Dounreay , Forss Business and Energy Park, Georgemas Junction, Gills Harbour, Seater Waste Management Facility pages 50 - 56	**Reporter:** Chris Norman

Body or person(s) submitting a representation raising the issue (including reference number):

Proposed Plan
Abbey Ecosse Ltd (959810)
Brenda Herrick (966977)
Gills Harbour Ltd (962325)
London and Scottish Investments Ltd (979770)
Network Rail (980184)
RSPB Scotland (956544)
SNH (909933)
Wildland Limited (983561)

Modified Proposed Plan
Dunnet & Canisbay Community Council (MPP962464)
Nuclear Decommissioning Authority (NDA) and Dounreay Site Restoration Limited (DSRL) (1036889),

Provision of the development plan to which the issue relates:	Economic Development Areas: Dounreay, Forss Business and Energy Park, Georgemas Junction, Gills Harbour, Seater Waste Management Facility. ** Please note that this part of the Plan was subject to a non notifiable modification which included the name of Forss Technology and Business Park being changed to Forss Business and Energy Park.*

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

Dounreay

Wildland Limited (983561) - Supports the ambition and foresight set out in Dounreay Planning Framework 2. Wildland Limited supports the position set out in the plan. Dounreay is the logical place to focus industrial and business development.

Nuclear Decommissioning Authority (NDA) and Dounreay Site Restoration Limited (DSRL) (1036889), received 13 November 2016 - NDA and DSRL are supportive of the plan's content for the Dounreay site and the linkage to Dounreay Planning Framework 2.

Forss Business and Energy Park

Abbey Ecosse Ltd (959810) - Abbey Ecosse Ltd have recently bought over the site and have now rebranded it from 'Forss Technology and Business Park' to 'Forss Business and Energy Park' in order to, as supported by the draft plan, seek to promote investment at the site from the energy sector. Abbey Ecosse Ltd therefore requests that CaSPlan adopts the new name.

Support the identification of the Forss Business and Energy Park as an Economic Development Area (EDA) and are pleased to see, following previous comments, that the potential for expansion to the west of the Park is supported by the Council.

On balance, respondent supports the Council's approach in not seeking to allocate a boundary around the EDA as this enables flexibility in relation to the delivery of the remainder of the site. Satisfied with the Placemaking Priorities.

SNH (909933) - Any development here would need to consider the known use of the site by geese connected with the Caithness Lochs Special Protection Area (SPA). Development would also need to ensure the maintenance of the Scottish Primrose (Primula scotica) population found in this location. This plant is nationally scarce and endemic, only found in the Orkney islands and the northern coast of Caithness and Sutherland. This should be added to the issues/placemaking text. This will ensure that developers are aware of the need to consider the SPA and other environmental interests.

London and Scottish Investments Ltd (979770) - Forss Wind Farm lies immediately to the west of Forss Technology and Business Park so it is difficult to see how it could be expanded to the west. It is assumed that any expansion will be further to the west of the wind farm. The suitability of such a proposal should be assessed in relation to the potential sensitivity of any such land from an ecological and ornithological perspective.

Georgemas Junction

Network Rail (980184) - The inclusion of this site is supported as a key freight hub, which is subject to ongoing investment.

Gills Harbour

SNH (909933) - Any development would need to consider the potential direct and indirect impacts that development such as a marine renewables service base could have on the various environmental interests in the area (such as, but not necessarily limited to, the North Caithness Cliffs SPA). This should be included in the “Issues” text. This would ensure that developers are aware of the need to consider the SPA and other environmental interests.

RSPB Scotland (956544) - Appropriate consideration should be given to the importance of the local marine area to foraging seabirds throughout the year in order to avoid adverse impacts on a wide range of species. Therefore, RSPB Scotland would like the following added to the placemaking priorities: “Development should not have an adverse impact on populations of foraging seabirds in the area.”

Gills Harbour Ltd (962325) - Supports Gills Harbour being listed as an Economic Development Area, which cements its designation by the Council as a 'Port for Action' in the context of 'marine renewables'. Gills Harbour is best-known as the Caithness terminal of Scotland's most successful 'Mainland to Island Group' ROPAX service operated by its lessee Pentland Ferries Ltd. The private sea-transport firm has constructed a modern multi-million pound terminal at Gills, on land/foreshore leased from GHL and on seabed rented from the Crown Estate. It is a considerable employer with shore-base staff, while its year-round construction/maintenance squad is based at Gills. It is preparing to install a Marine Scotland-consented 70-metre extension to its 116 metre-long breakwater/berth at Gills in the 2016 spring/early summer. The potential access constraints mentioned in the

"issues" should be amended to reflect that the spur road onto the A836 carries 50-tonne HGVs on a daily basis and "abnormal loads" studies have been undertaken.

There is an important crofting background to Gills Harbour and its immediate area, one which ought to be encouraged to prevail. The Council's housing policy in this area should be positively encouraging persons to 'put down roots' to try and stop depopulation of the area. It is not clear what criteria are being used when it comes to defining 'remote and rural areas' or what 'fragile' means, but the Council should take a 'flexible approach' to new housing.

Dunnet & Canisbay Community Council (MPP962464) - CaSPlan should designate the Inner Basin of community-owned Gills Harbour as being the preferred Caithness Mainland location for a Pentland Firth workboat supply base for marine renewable electricity generation in local waters. This is as in N-RIP 2 (National Renewables Infrastructure Plan).

Seater Waste Management Facility

Brenda Herrick (966977) - Objects to the site continuing to be used for waste from outwith Caithness. The access route is not suitable for continued use from heavy lorries and is becoming increasingly dangerous. Queries whether anything is in place for beyond 2020.

Modifications sought by those submitting representations:

Forss Business and Energy Park

Abbey Ecosse Ltd (959810) - Rename the Economic Development Area from the 'Forss Technology and Business Park' (as shown in the Proposed Plan) to 'Forss Business and Energy Park'.

SNH (909933) - Add reference in Issues or Placemaking Priorities for developers to consider the use of the site by geese connected with the Caithness Lochs Special Protection Area (SPA) and to ensure the maintenance of the Scottish Primrose (Primula scotica) population found in this location.

London and Scottish Investments Ltd (979770) - Remove support for western expansion of the business park until an environmental assessment has been completed to inform its suitability. (Assumed)

Gills Harbour

SNH (909933) - Add reference in Issues section for developers to consider the potential direct and indirect impacts that development such as a marine renewables service base could have on the various environmental interests in the area (such as, but not necessarily limited to, the North Caithness Cliffs SPA).

RSPB Scotland (956544) - Add to the Placemaking Priorities "Development should not have an adverse impact on populations of foraging seabirds in the area".

Gills Harbour Ltd (962325) - Potential access constraints mentioned in the "Issues" should be amended to reflect that the spur road onto the A836 carries 50-tonne HGVs on a daily basis and "abnormal loads" studies have been undertaken.

Gills Harbour Ltd (962325) - Provide greater clarity on the Council's intentions for amending the Housing in the Countryside policy. The Council should take a 'flexible approach' to new housing.

Dunnet & Canisbay Community Council (MPP962464) - Add references to specific proposed/completed improvements and economic opportunities at Gills Harbour.

Seater Waste Management Facility

Brenda Herrick (966977) - Remove the site from the Plan. (Assumed)

Summary of responses (including reasons) by planning authority:

Dounreay

Support for the Economic Development Area and the Dounreay Planning Framework 2 (CD24) is noted.

The Local Committees agreed to take the late comments (received 13 November 2016) of NDA/DSRL into consideration and for them to be submitted as part of the Examination. The comments are supportive of the content of the Plan in relation to Dounreay, which is welcomed and noted.

Forss Business and Energy Park

Support for the Economic Development Area is noted.

As part of the preparation of the Modified Proposed Plan the Council agreed to amend, as a non-notifiable modification, the name of the Economic Development Area from Forss Technology and Business Par to Forss Business and Energy Park to reflect the rebranding of the site. No further comments were made on the matter during the Modified Proposed Plan consultation.

If the Reporter is so minded, the Council would be agreeable to adding the following additional Placemaking Priority, or similar text: "Consideration of geese connected with the Caithness Lochs Special Protection Area (SPA) required. Ensure maintenance of the Scottish Primrose (Primula scotica) population found in this location."

It is considered that there may be potential for a degree of expansion between the business park and the wind turbines. It should be noted that in the Placemaking Priorities it states only that there *may* be potential. Support for this will be dependant on addressing the Issues and Placemaking Priorities set out in CaSPlan and the general policies set out in the Highland-wide Local Development Plan (HwLDP) (CD18).

Georgemas Junction

Support for the Economic Development Area is noted.

Gills Harbour

If the Reporter is so minded, the Council would be agreeable to adding the following additional Placemaking Priority (rather than as an 'Issue', ensuring consistency with other

references throughout the Plan): “Consideration required of potential direct and indirect impacts that development could have on the various environmental interests in the area (such as, but not necessarily limited to, the North Caithness Cliffs SPA).”

The comments made by RSPB Scotland are noted. Other species of birds that are not qualifying interests of the SPA are undoubtedly important, however, they are not defining factors of whether development can/cannot occur. Therefore, the text in the Plan (together with additional amendments suggested by SNH during the Proposed Plan consultation which includes a more general reference to consideration of environmental interest) is considered to be the most appropriate wording. Development proposals not connected to Natura sites should be adequately protected by EIA (e.g. for large developments) and/or the HwLDP (CD18) policies on wildlife (e.g. for EIA and smaller developments).

The third Issue refers to the road from A836 down to the harbour which has a sharp bend and is narrow in places. If the Reporter is so minded, the Council would be agreeable to the following text, or similar: “Current access arrangements may need to be addressed to accommodate expansion of harbour facilities”. This is to reflect the fact that it may be possible to address the issues with land reclamation.

The comments on the Council’s planning policy for housing in the countryside appear to relate to the recent publication of the Main Issues Report for Highland-wide Local Development Plan (CD15) which is currently being reviewed. The comments have been passed to the Officer responsible for HwLDP (CD18) and will be considered as part of the preparation of the Proposed Plan.

The relationship between the National Renewables Infrastructure Plan (N-RIP) (CD29) and the potential economic opportunities in the local area, including the strategic importance of ports and harbours, was closely considered during the preparation of the Plan. The strategy section of the Plan sets out the Council’s support for these opportunities and aims to “maximise opportunities arising from the energy sector, particularly within the Area for Energy Business Expansion in the north east”. In addition, ports and harbours which have a potentially important role in the energy sector have been highlighted for development including Gills Harbour Economic Development Area. Despite the Community Council requesting specific proposals to be referenced (including promotion of existing facilities and potential for a range of new ‘high energy demand’ related industries) it is considered that the current references within the Plan provide sufficient support. As a result, no change is proposed to the Plan.

Seater Waste Management Facility

Scottish Planning Policy (SPP) (CD01) requires planning authorities to identify strategic waste management facilities within Local Development Plans. The landfill at Seater is a strategic waste management facility for The Highland Council, being one of the two landfill sites in operation in Highland, the other being in Granish, Badenoch and Strathspey. Although significant capacity exists legislation will prevent municipal waste going to landfill after 2020. The Council is currently reviewing its Municipal Waste Management Strategy and the range of waste management services which are undertaken. As an established waste management facility it is considered to be a prime location for future waste management transfer or treatment. It is also considered to be a potentially suitable site for energy from waste if associated with a high heat demand development that would make use of the heat generated. Should such proposals emerge then issues such as impact on the road network will be assessed at planning application stage. For these reasons the

Council are minded to maintain the inclusion of Seater Waste Management Facility as an Economic Development Area.

Reporter's conclusions:

Dounreay

1. I note the support for the identification of Dounreay as an Economic Development Area, including Dounreay Planning Framework 2. The representations on this site raise no matters which require to be addressed at this examination.

Forss Business and Energy Park

2. I note the support for this site, including the recognition in the Placemaking Priorities of possible expansion opportunities to the west. Its rebranding from "Forss Technology and Business Park" in the Original Proposed Plan to "Forss Business and Energy Park" in the Modified Proposed Plan amounts to no more than a minor change and correction, which the planning authority has treated as a non-notifiable modification.

3. One representation is concerned about the difficulties in the site expanding westwards because of the presence of Forss Wind Farm, and assumes that any expansion would be further to the west of the wind farm. The planning authority has clarified that it believes that there may be potential for expansion between the site and the wind farm. As the Plan defines no boundaries for the site, I can understand why the confusion has arisen. In order to remove any uncertainty over the area proposed for expansion, I consider that the second Placemaking Priority should be adjusted to refer to a possible expansion area between the business and energy park and the wind turbines, as set out below.

4. Scottish Natural Heritage (SNH) requests that any development at this location takes account of the use of the site by geese connected with the Caithness Lochs Special Protection Area (SPA), and of the need to maintain the Scottish Primrose (Primula scotica). The planning authority agrees to the requested changes. In order to ensure that any expansion proposals do not have an adverse effect on the geese associated with the internationally important designation of SPA, and that the nationally scarce Scottish Primrose population is properly maintained, all in line with Scottish Planning Policy, I agree that an additional Placemaking Priority protecting these vulnerable species would be appropriate, as set out below. I believe that the wording proposed by the planning authority is satisfactory, subject to alterations to clarify the intention of the new priority.

5. Overall, adjustments are required to the Plan.

Georgemas Junction

6. I note the support for this strategic rail freight and transport hub, which has potential for biomass fuel processing and high heat demand developments. The representation on this site raises no matters which require to be addressed at this examination.

Gills Harbour

7. The Plan describes the Economic Development Area at Gills Harbour as being well placed to become a service base for the marine renewables sector, although investment in both upgrading and expansion may be necessary. Gills Harbour also lies within the Area

for Energy Business Expansion. Additionally, it is identified in the National Renewables Infrastructure Plan 2 (NRIP2) as having the potential to be a harbour for large support and supply vessels, thereby providing mainland facilities for the development of marine renewable energy in the Pentland Firth.

8. Gills Harbour Ltd and Dunnet & Canisbay Community Council have both lodged comprehensive representations to the Plan highlighting developments taking place at the harbour, and its future development potential, particularly in relation to marine renewable energy and associated developments. It was clear from my site inspection that a significant scale of investment in port related infrastructure has been recently undertaken, including new pier facilities, a passenger terminal building, storage buildings and other substantial engineering operations such as work on the breakwaters, harbour walls and quayside areas. The harbour is also the closest mainland port to the four Crown Estate seabed concessions in the Pentland Firth, and its importance as a supply base is nationally recognised.

9. Because of the harbour's inclusion in the Plan as an Economic Development Area and its location in the Area for Energy Business Expansion, I consider that there are clear local planning policies that support the aspirations of Gills Harbour Ltd and Dunnet & Canisbay Community Council. In particular, the designated Area for Energy Business Expansion covers a large area and is, by definition, the location where opportunities arising from the offshore renewables sector can be maximised, including employment generating uses to service the sector through support for harbours. This is reinforced at Gills Harbour by the reference in the Plan to it being well placed as a service base for marine renewables. In the circumstances, I believe that the Plan already reasonably covers the strategic development potential of both the harbour and the wider area. Furthermore, I am not persuaded that it would be appropriate to introduce a much greater level of detail on potential development opportunities in the section dealing with Gills Harbour than in the sections dealing with the other Economic Development Areas identified in the Plan.

10. The request to reposition the Offshore Renewables caption on the Strategy Map in the Plan is dealt with at Issue 02.

11. There is no requirement to alter the second Issue for Gills Harbour, which identifies the steep slope on the harbour's landward side. It poses a physical constraint to any expansion proposals. However, expansion may still be possible laterally along the coast. The third Issue deals with potential access constraints. While I acknowledge these constraints, the access road appears well surfaced, has adequate visibility and reasonable vertical and horizontal alignment, and carries 40-tonne heavy goods vehicles daily. Moreover, access improvement works could likely be accommodated. I therefore do not consider the constraints an insurmountable barrier to harbour expansion. In the circumstances, I believe that the Issue would be clarified if a further sentence was added indicating that the current access arrangements may need to be addressed, as set out below.

12. In relation to the request to introduce a more flexible approach to new housing in the traditional crofting area around the harbour, I note that the policy framework for housing in the countryside is set out in the Highland-wide Local Development Plan (HwLDP), not this Plan. HwLDP Policy 36: Development in the Wider Countryside does not prohibit housing development in the area. On the contrary, development proposals may be supported if they are judged not to be significantly detrimental when assessed against the criteria in the policy. HwLDP, including the housing in the countryside policies, is currently being

reviewed. That review falls outwith the scope of this Plan and its examination. The planning authority indicates that it will consider the request as part of the HwLDP review. The request to designate nearby Canisbay as a Growing Settlement is dealt with at Issue 15.

13. The North Caithness Cliffs Special Protection Area (SPA) is close to Gills Harbour (the closest part is the marine area around the Island of Stroma). The SPA is largely designated for its seabird interest. Scottish Natural Heritage (SNH) requests that the Economic Development Area refers to considering development impacts on the "various environmental interests in the area", such as the SPA. The planning authority accepts the change. In order to ensure that development has no adverse effect on the integrity of the SPA (an internationally important designation) and that the level of protection applied to it is in line with Scottish Planning Policy, I consider it appropriate to include in the Plan a reference to the constraint presented by the designation. In the circumstances, I propose to add a further Placemaking Priority to deal with the omission in a way that is broadly consistent with the Plan's approach to such designations. While the alternative wording proposed by the planning authority and SNH refers to the various environmental interests in the area and is wider in scope, I find it too vague and less clear in its application.

14. I appreciate RSPB Scotland's concern to avoid any development at Gills Harbour from having adverse impacts on a wide range of foraging sea birds. However, bearing in mind the recommendation to recognise the constraint of the SPA, I am content that the objective of preventing adverse impacts on other general seabird interests can be better secured through the operation of the relevant policies in HwLDP – in particular Policy 58: Protected Species and Policy 59: Other Important Species – which will ensure proper regard is had to the presence of important bird species on sites under consideration for development at the harbour. There is no therefore no need to make a specific reference to the matter within the Placemaking Priorities for Gills Harbour.

15. Overall, adjustments are required to the Plan.

Seater Waste Management Facility

16. One representor opposes the Seater landfill site continuing to be used for waste from outwith Caithness because the access route to the site is unsuitable for continued use from heavy lorries and it is becoming increasingly dangerous.

17. I note that the Seater site is one of two strategic waste management facilities for the Highland Council. The council is currently reviewing its municipal waste management strategy and the Seater Waste Management Facility is considered to be a prime location for such future waste management transfer and/or treatment infrastructure.

18. During my site inspection, I observed the condition of the roads that provide access to the site, including the principal access road, the B876, as well as the B870 and several other unclassified roads in the site's vicinity. Whilst these approach roads outwardly display some visible signs of extensive usage and would benefit from selective maintenance, I do not consider them to be unsuitable for servicing the landfill facility. In any event it is the responsibility of the council as highways authority to monitor and maintain the condition of adopted roads, and the conditions that I observed have no direct bearing on the siting of the Seater landfill site and its inclusion in the Plan as an Economic Development Area.

19. In addition to the positive attributes of the site set out in the Placemaking Priorities, the site's relative isolation from sensitive receptors such as dwellings and roadside communities points to it being an appropriate location for an Economic Development Area, particularly in the event of the utilisation of energy from waste, resultant from the waste management facility. I therefore do not consider that the Economic Development Area should be deleted.

20. Overall, no adjustments are required to the Plan.

Reporter's recommendations:

I recommend the following modifications be made:

Forss Business and Energy Park

1. Under the Caithness Economic Development Areas section of the Caithness Settlements, page 52, adjust the 2nd Placemaking Priority for Forss Business and Energy Park to read:

"…Expansion opportunities may exist to the west between the business and energy park and the wind turbines…"

2. Under the Caithness Economic Development Areas section of the Caithness Settlements, page 52, add a 4th Placemaking Priority to Forss Business and Energy Park, to read:

"…Consideration is required of the use of the site by geese connected with the Caithness Lochs SPA. Ensure the maintenance of the Scottish Primrose (Primula scotica) population found at this location…"

Gills Harbour

3. Under the Caithness Economic Development Areas section of the Caithness Settlements, page 54, add a sentence at the end of the 3rd Issue on potential access constraints for Gills Harbour, to read:

"…Current access arrangements may need to be addressed to accommodate the expansion of harbour facilities…"

4. Under the Caithness Economic Development Areas section of the Caithness Settlements, page 54, add a 3rd Placemaking Priority to Gills Harbour, to read:

"…Avoid any adverse effect on North Caithness Cliffs SPA."

Issue 15	**Growing Settlements - Caithness**	
Development plan reference:	Growing Settlements Caithness: Dunbeath, Dunnet, John O'Groats, Keiss, Latheronwheel, Reay, Thrumster, Watten pages 57 - 64	**Reporter:** Tim Brian

Body or person(s) submitting a representation raising the issue (including reference number):

Proposed Plan
Crofting Commission (955042)
Dorothy MacDonald (978176)
Dunnet & Canisbay Community Council (962464)
John Swanson (980308)
North Highland Initiative (983130)
Robert Christie (967644)
RSPB Scotland (956544)
Scottish Water (953627)
SNH (909933)

Modified Proposed Plan
Dunnet & Canisbay Community Council (MPP962464)

Provision of the development plan to which the issue relates:	Growing Settlements Caithness: Dunbeath, Dunnet, John O'Groats, Keiss, Latheronwheel, Reay, Thrumster, Watten

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

Dunbeath

Crofting Commission (955042) - Dunbeath has significant areas of crofting interest, none of which appear to be directly impacted by identified priorities.

Scottish Water (953627) - Should development exceed the current capacity of the WWTW, then Scottish Water is currently funded to meet the demands of domestic growth. However other mechanisms such as the Memorandum of Understanding with SEPA and capital maintenance interventions may also provide a solution to meet moderate increases above current capacity.

SNH (909933) - To ensure that developers are aware of the need to consider the relevant environmental interests, any development would also need to consider the potential direct and indirect impacts on the East Caithness Cliffs MPA.

Dunnet

Crofting Commission (955042) - It is noted that the area of proposed development is proximate to an area of croft land. However, the settlement pattern is acknowledged.

RSPB Scotland (956544) - Planned developments, particularly in relation to tourism, based in or around Dunnet should take account of the importance of Dunnet Head to breeding seabirds and the following should be added to the placemaking priorities,

"Development should take account of the importance of Dunnet Head to breeding seabirds, and must not have an adverse impact on the North Caithness Cliffs Special Protection Area."

Dunnet & Canisbay Community Council (962464) - The area is a key part of The North Coast 500. In November 2015 The Community Council published 'Community Development Plan for Dunnet & Canisbay'. Sections of this plan should be incorporated into the final version of CaSPlan. It shows that the area is still suffering from de-population and remedial measures from the Council may be appropriate. Canisbay should also be included as a growing settlement. In Dunnet and Canisbay the Council should routinely take a flexible approach to planning applications for new homes, with a policy of 'positive encouragement' for younger people wishing to settle in the area. The Plan should also be clear about the potential positive impacts from renewable energy being generated in the Pentland Firth and should promote the creation of jobs. The Plan should adopt a policy of having an 'Around the Caithness Coastline' long-distance walking way constructed and maintained, perhaps with an extension southwards to the outskirts of Inverness and westwards toward Durness. CaSPlan should highlight the amount of archaeology in Caithness and should provide facilities for tourists. The Community Council feels the area covered by CaSPlan is too large and is disappointed that a public meeting was not held in the Community Council area.

Dunnet & Canisbay Community Council (MPP962464) - With the decommissioning of Dounreay and the slow population decline there is a compelling argument to re-designate Dunnet and Canisbay as 'fragile areas'.

John O'Groats

Crofting Commission (955042) - There is a significant level of land held in crofting tenure within this settlement, but we do not envisage the identified priorities having an adverse impact upon this.

North Highland Initiative (983130) - North Highland Initiative would like the following mentioned in the plan: The restoration of John O'Groats Mill as a new visitor attraction which would showcase a working mill and include an interpretation and heritage centre. It would meet all four outcomes of the plan. Also considering housing a collection of classic cars as part of the overall visitor attraction.

Dunnet & Canisbay Community Council (MPP962464) - The Plan should promote opportunities for the renovation of the John O'Groats Mill which is historically important for the local area.

The Broch Project concept is to build a modern dry-stone recreation of an Iron Age broch in Caithness. Clearly this has to be at, or close to, a location where tourists actually stop (as, for example, they have to do at John O'Groats, Gills and Dunnet Head). The Broch Project seems to be a well thought-out idea, and includes persons with relevant skills from dry-stone masonry to marketing. It deserves support via CaSPlan.

The Community Council request that the Council should adopt as Core Paths: 1) the route between the End of the Road and the Ness of Duncansby; 2) the long distance route between Inverness and John O'Groats.

The End of the Road car park must continue to provide unimpeded access for visitors.

The historic museum loan collection at John O'Groats should be re-instated.

Keiss

Crofting Commission (955042) - The priority to focus development within the existing village is supported. It is noted that the village is closely surrounded by relatively good quality croftland. The intent to prevent ad hoc development on such land is supported, albeit with the caveat that where there are justifiable reasons in terms of croft management, a relevant development should not be prohibited.

Latheronwheel

SNH (909933) - To ensure that developers are aware of the need to consider the relevant environmental interests, include a reference to the Dunbeath to Sgaps Geo SSSI in the last point.

Crofting Commission (955042) - There continues to be significant croft landholdings within the surrounding area that should be appropriately considered should future proposals emerge. We would expect this to be considered within the stated context of complementing the existing settlement.

Reay

Crofting Commission (955042) - Does not consider that there is anything in the specific priorities that will impact adversely on crofting interests.

Thrumster

Robert Christie (967644) - The sea cliffs of Sarclet are becoming well known in rock climbing circles as the best sea cliff climbing in Scotland. More people should be aware of this as an attraction in the Thrumster area.

RSPB Scotland (956544) - Would like the following added to the placemaking priorities, "Development should minimise encroachment into open farmland, in order to avoid impacts on breeding waders such as lapwing, curlews and oystercatcher."

Crofting Commission (955042) - Much of the village centre is surrounded by croftland. The intimated development potential north of Stewart Crescent could potentially impact upon some of this.

Watten

Dorothy MacDonald (978176) - Direct access to the 4 acre field to the north of Watten primary school site is now available and there are intentions to apply for full planning for this development.

John Swanson (980308) - Objects to the prohibition of further linear development along the B870 north of Henderson Square. Proposes limited continuation of sensitive development along the B870 north of Henderson Square, which would promote growth and make best use of existing community infrastructure, enhancing the existing local community services and facilities. There is potential for development to the east of B870 south of Watten Hall to meet the need for local housing requirements. Objects to the

safeguarding of the whole of the countryside in the immediate vicinity around the village as it limits opportunities to provide new housing. Appreciates the need to protect valuable agricultural land but there is limited opportunity for infill development in Watten.

Modifications sought by those submitting representations:

Dunbeath

SNH (909933) - Add reference for developers to consider the potential direct and indirect impacts on the East Caithness Cliffs MPA.

Dunnet

RSPB Scotland (956544) - Add the following to the Placemaking Priorities, “Development should take account of the importance of Dunnet Head to breeding seabirds, and must not have an adverse impact on the North Caithness Cliffs Special Protection Area.”

Dunnet & Canisbay Community Council (962464) - Incorporate sections of the Community Council’s 'The Community Development Plan for Dunnet & Canisbay' into CaSPlan including measures to address depopulation, more flexible approach to housing in the countryside for young people, encourage growth of marine renewables industry, include aspiration of a Caithness coastline long-distance walking route and highlight the rich archaeology and provide tourist facilities.

Include Canisbay as a Growing Settlement.

Dunnet & Canisbay Community Council (MPP962464) - Re-designate Dunnet and Canisbay as ‘fragile areas’.

John O’Groats

North Highland Initiative (983130), Dunnet & Canisbay Community Council (MPP962464) Add reference to the restoration of John O’Groats Mill as a new visitor attraction.

Dunnet & Canisbay Community Council (MMP962464) - Add reference to the Caithness Broch Project

Adopt as Core Paths: 1) the route between the End of the Road and the Ness of Duncansby; 2) the long distance route between Inverness and John O’Groats.

Add statement that the End of the Road car park must continue to provide unimpeded access for visitors.

Reference should be made to re-instate historic museum loan collection at John O’Groats.

Keiss

Crofting Commission (955042) - Amend second last Placemaking Priority to include a caveat “where there are justifiable reason is terms of croft management”.

Latheronwheel

Scottish Natural Heritage (909933) - Include a reference to the Dunbeath to Sgaps Geo SSSI in the last Placemaking Priority.

Thrumster

RSPB Scotland (956544) - Would like the following added to the Placemaking Priorities, "Development should minimise encroachment into open farmland, in order to avoid impacts on breeding waders such as lapwing, curlews and oystercatcher."

Watten

John Swanson (980308) - Remove the Placemaking Priority relating to the prohibition of further linear development along the B870 north of Henderson Square.

Remove the Placemaking Priority "Safeguard the countryside around the village which is relatively high quality agricultural land." (Assumed)

Summary of responses (including reasons) by planning authority:

Dunbeath

Comments by the Crofting Commission are noted.

Comments by the Scottish Water are noted.

The Council would be content if the Reporter agrees to add in the following additional text to the fifth Placemaking Priority (additional text italicised): "Protect natural heritage features along the north bank of Dunbeath Water, development should avoid any adverse effect of East Caithness Cliffs SPA*, MPA* and SAC or Dunbeath Water SSSI."

Dunnet

Comments by the Crofting Commission are noted.

The Council would be content if the Reporter agrees to add in the following additional Placemaking Priority "Consideration required of potential direct and indirect impacts that development could have on the various environmental interests in the area (such as, but not necessarily limited to, the North Caithness Cliffs SPA and the Dunnet Links SSSI)." This would make it more consistent with other references throughout the Plan.

The comment on the long distance route around the coast of Caithness is noted. An unofficial coastal route from John O'Groats to Cape Wrath, known as the North Highland Way, already exists. There was also an announcement in June 2016 by a local campaign group that a new walking route could be established between Inverness and John O'Groats. As there are no details available regarding how the routes will be funded the Council are not minded to make any modification to the Plan.

The recently published Community Development Plan for Dunnet & Canisbay (CD30) was taken into consideration by the Council during the preparation of the Plan. Many of the issues included within the Community Plan were also identified in as issues affecting

communities across the Plan area and addressed within the strategy section. The Growing Communities section of the Plan highlights the need to retain services and attract new ones to retain/attract young people and families to the area. The Employment section of the Plan clearly sets out support for the growth of the renewables industry and the tourism sector and associated employment opportunities which it could bring. The Issues and Placemaking Priorities also pick up specific proposals such as taking advantage of Dunnet's strategic position on tourist routes including the NC500 and John O'Groats to Lands End. Although the Community Plan holds a large amount of detailed analysis and set out aspiration for the area, on balance, the Council do not propose any modifications to the Plan.

The Council's approach to dealing with housing in the countryside is set out in HwLDP (CD18) Policy 35 Housing in the Countryside (Hinterland areas) and Policy 36 Development in the Wider Countryside and the Housing in the Countryside and Siting and Design: Supplementary Guidance (CD19). Since the removal of the Hinterland designation around Thurso and Wick the area has had a relatively flexible planning framework. This is reflected by the high levels of house completions and population growth in Landward Caithness. The existing planning policies are currently under review as part of the revision of the HwLDP. There will be opportunity for engagement in the review of HwLDP, which is the most appropriate place to address these issues. As a result the Council do no proposed any modification to the Plan.

As part of the preparation of the Main Issues Report (CD04) and the emerging Growing Settlements Policy an assessment was made of potentially suitable settlements which would be identified. This looked at features such as the range of existing facilities, settlement pattern and levels of development pressure. It is recognised that Canisbay has community facilities but there has been limited development in the settlement since the existing Caithness Local Plan (CD17) was adopted in 2002. Many new houses have been built in areas around Canisbay, such as Gills, and Upper Gills. As a result it was considered that general policies would be sufficient to guide future development as it would provide a more flexible approach. Similar requests were made for Laid and Bower, but these can be read in the Growing Communities Schedule 4. As a result the Council do not proposed any modification to the Plan.

Fragile Areas

Fragile Areas are identified by Highlands and Islands Enterprise (HIE) who undertake periodic reviews based on a set of key indicators (the methodology used is shown on the Scottish Government website http://www.gov.scot/Publications/2010/07/30101940/4). Whilst the Council uses fragile areas as a part of a policy tool e.g. in the HwLDP (CD18), the Council is not the authority that identifies fragile areas and as such we do not propose any changes to the Plan.

John O'Groats

Comments by the Crofting Commission are noted.

The Council acknowledge the heritage value of the John O'Groats Mill and proposals by The Prince's Regeneration Trust and the North Highland Initiative to develop a new heritage-led regeneration project to convert it into a visitor centre. If the Reporter is so minded, the Council will be content to add in the following reference to the mill within the Placemaking Priorities: "The restoration of John O'Groats Mill has the potential to form the

focus for a range of cultural, commercial and community activities".

Reference to the Caithness Broch Project has already been included within the Employment section of CaSPlan (paragraph 54) and identified within the Action Programme. Given that no preferred site has been suggested to us by the Caithness Broch Project, neither any preference for the broch to be constructed around John O'Groats we do not propose any changes to the Plan.

The request to reinstate the core path at John O'Groats was also considered as part of the recent Core Path Review for Caithness and Sutherland during 2014. The Access Officer notes in the Consultative Report (CD31) state that the section of path has been re-instated twice before and the Council are not willing to commit to reinstating it again until coastal protection works are undertaken. Given that no such coastal defence scheme is expected at this time we do not propose any changes to the Plan. However, it was agreed that reference to the proposal will be included within the Aspirational List of the Action Programme (CD05).

The response to the proposed long distance routes is covered within the Dunnet section above as similar comments were raised by the Community Council at Proposed Plan stage.

In relation to concerns raised regarding changes proposed to the access and car parking arrangements at the End of the Road, John O'Groats, it is noted that similar comments were made during the Main Issues Report (MIR) consultation. The Council's position agreed at that stage was that the detail of any particular layout would be best considered at planning application stage. This position was then reflected within the Placemaking Priorities for John O'Groats as set out in the Proposed Plan. As no further evidence has been provided which adequately challenges this, no change is proposed to the Plan.

The potential benefits of the reinstatement of the Frank Sutherland museum loan collection at John O'Groats in terms of education and cultural heritage are noted. However, its reinstatement does not warrant or require a reference within the Development Plan to occur. As a result no change is proposed to the Plan.

Keiss

The Council would be content if the Reporter agrees to add the following text to the Placemaking Priority "Protect and restrict further built encroachment along the strand line of Sinclair's Bay at Stain unless there are justifiable reasons in terms of croft management." This will help ensure that crofting operations are not restricted unnecessarily around the settlement.

Latheronwheel

The Council would be content if the Reporter agrees to add the following text to the last Placemaking Priority "…and Dunbeath to Sgaps Geo SSSI."

Comments by the Crofting Commission are noted.

Reay

Comments by the Crofting Commission are noted.

Thrumster

Comments regarding the popularity of rock climbing in the area is noted.

The comments made by RSPB Scotland are noted. Other species of birds that are not qualifying interests of the SPA are undoubtedly important, however, they are not defining factors of whether development can/cannot occur. Therefore, the text in the Plan (together with any additional amendments suggested by SNH during the Proposed Plan consultation) is considered to be the most appropriate wording for complying with the Natura Habitats Directive. Development proposals not connected to Natura sites should be adequately protected by EIA (e.g. for large developments) and/or the HwLDP policies, in particular Policy 57 Natural, Built and Cultural Heritage, Policy 58 Protected Species, and Policy 59 Other Important Species (e.g. for EIA and smaller developments). No modification is proposed by the Council.

Comments by the Crofting Commission are noted.

Watten

The Plan already identifies potential housing development opportunities on the north of the A882. However, to give greater clarity on where this may occur, and if the Reporter agrees, the Council would be content with replacing "…north side of the A882" with "land immediately north west of the primary school".

Some small scale development may be appropriate to the south of Watten Hall but it is not identified in the Plan due to access constraints. No modification is proposed by the Council.

Sufficient housing development opportunities have been identified adjoining the built development of Watten. In addition, given that the farmland around Watten is some of the highest quality in Caithness, the Council are not minded to remove the Placemaking Priority to safeguard the countryside around the village.

The respondent requests the Plan allows for a 'continuation of sensitive development along the B870'. However, the first Issue and the fourth Placemaking Priority look to protect the setting of the village and Loch Watten from what is considered to be recent insensitive and inappropriate development. No modification is proposed by the Council.

Reporter's conclusions:

Dunbeath

1. I note that the Crofting Commission and Scottish Water raise no objection to the terms of the Plan relating to Dunbeath.

2. The Plan advises that development at Dunbeath should avoid any adverse effect on East Caithness Cliffs Special Protection Area (SPA), but it neglects to mention the need to protect the adjoining East Caithness Cliffs Marine Protection Area (MPA) covering the adjacent coastal waters between Wick and Helmsdale, which is designated for its black guillemot interest. I therefore propose to accept the council's suggested re-wording (subject to the substitution of the word 'on' for the word 'of'), which would ensure that this important interest is recognised in the Plan.

Dunnet

3. I note that the Crofting Commission raises no objection to the terms of the Plan which relate to Dunnet.

4. The Plan already recognises the need to avoid any adverse effect on the Dunnet Links Site of Special Scientific Interest (a designation of national importance). However, it is also appropriate to highlight the constraint presented by the nearby North Caithness Cliffs SPA (a designation of international importance) which encompasses the coast around Dunnet and Dunnet Head. The SPA is largely designated for its seabird interest.

5. I therefore propose to amend the final placemaking priority for the village to remedy that omission, but in a manner consistent with the Plan's priorities for settlements with similar constraints such as John O'Groats, Latheronwheel and Reay. The council's alternative wording is wider in scope, but less clear in its application.

6. Dunnet & Canisbay Community Council has lodged a comprehensive representation to the Plan, based in part on the Community Profile and Community Development Plan (CDP) for Dunnet and Canisbay produced by Foundation Scotland. The CDP is a well-researched and constructive document which aims, amongst other things, to provide a strategic framework for the planning and progressing of local development, and to inform statutory bodies on local priorities. The CDP is described as "*aspirational and ambitious*", and it acknowledges that "*to implement it will be challenging for the community*." It identifies a number of projects which might be supported under the themes that provide the framework for the CDP.

7. The community council would like the Local Development Plan to incorporate certain sections of the CDP; to include Canisbay as a Growing Settlement; and to designate Dunnet and Canisbay as fragile areas.

8. A number of the themes highlighted in the CDP are common to a much wider area:

- improving our community assets and facilities for local people and visitors
- communications and transport
- providing opportunities for young people
- providing support and opportunities for older people
- promoting enterprise and tourism
- improving our natural environment and access to it
- culture and heritage.

9. These issues are considered elsewhere in the Plan, and are discussed in the relevant sections of this report – e.g. Issue 3: Growing Communities and Issue 4: Employment. They are also referred to in the Placemaking Priorities for Dunnet which include the need to take advantage of Dunnet's strategic position on tourist routes including the North Coast 500 and John O'Groats to Lands End.

10. The Spatial Strategy of the Plan proposes a flexible approach within remote and rural areas, to support communities that are either dispersed or clustered together in settlements offering varying services and facilities. This includes enabling community led sustainable growth and development as well as growth through inward investment.

11. The focus on employment includes maximising the opportunities arising from the energy sector, notably marine renewables, and promoting and supporting tourism, particularly the East Coast Connectivity and Tourism Corridor and along the North Coast 500. The Plan also supports suitable tourism opportunities throughout Caithness and Sutherland, including in more rural and remote locations, and supports taking further advantage of the rich historic environment, including archaeology.

12. I conclude that there is no need to incorporate sections of the CDP into the Plan, as the important issues are already addressed, and it would not be appropriate to introduce a much greater level of detail into the section dealing with Dunnet than in other settlements in the Plan area.

13. As the council explains, the designation of fragile areas is not a matter for the Local Development Plan; they are identified by Highlands and Islands Enterprise, rather than Highland Council. According to HIE: "*fragile areas are characterised by weakening of communities through population loss, low incomes, limited employment opportunities, poor infrastructure and remoteness.*" Those characteristics are likely to be found in parts of the community council's area, but HIE's review of fragile areas is based on a published statistical methodology which is outwith the scope of the examination of the Local Development Plan.

14. In relation to the request to designate Canisbay as a Growing Settlement, I note that the settlement is well provided with services – notably, a primary school, churches, community hall, surgery, playing field and bus service. However, there is little evidence of recent development pressure in Canisbay, which is one of the features of designated Growing Settlements. In any case, development is not prohibited outwith Growing Settlements. On the contrary, development proposals may be supported if they are judged not to be significantly detrimental when assessed against the criteria of Policy 36: Development in the Countryside of the Highland-wide Local Development Plan (HwLDP).

15. I conclude that there is insufficient justification for the Plan to identify Canisbay as a Growing Settlement.

16. The proposal to develop a long distance walking route around the Caithness coastline is an interesting one, which could help to boost tourism in the area. However, I can appreciate why the council is reluctant to make a commitment to construct and maintain the route at this stage when there is no indication how the project would be funded. The existing, informal long distance route from John O'Groats to Cape Wrath (the 241km long North Highland Way) is not a council venture, and the feasibility of extending the route southwards from Duncansby Head to Inverness is unknown. I agree with the council that it would be inappropriate to include such an untested scheme as a proposal in the Local Development Plan.

<u>John O'Groats</u>

17. I note that the Crofting Commission raises no objection to the section of the Plan relating to John O'Groats.

18. The Plan comments that John O'Groats is a renowned tourist attraction which suffered from a lack of investment and coordination during the second half of the 20th century, but that significant investment in the area is transforming it into a high quality visitor destination with award winning architectural design.

19. One of the Plan's Placemaking Priorities is to support the appropriate expansion of the tourist site in line with the principles set out in the Highlands and Islands Enterprise (HIE) masterplan (2009), which include providing a diverse range of uses and activities.

20. The masterplan recognised the scope for John O'Groats mill to be converted to a visitor attraction if a viable business model could be identified. The building forms part of a complex of historic structures including the nearby Cromwell Bridge, and is of considerable historic and cultural significance. It is very well preserved, and retains much of its working machinery. There is considerable potential for sensitive restoration of the building as a working flour mill, and as a heritage centre, bakery, shop and café.

21. I consider that this project, developed by the North Highland Initiative and the Prince's Regeneration Trust, is a perfect example of the type of heritage led tourist venture which would provide a welcome draw to the John O'Groats area. I am therefore clear that it should be specifically referenced in the Plan, as the council now proposes.

22. Caithness has more broch sites than anywhere else in Scotland. The Caithness Broch Project is another innovative proposal with the potential to boost tourism and increase awareness of the area's heritage, in particular by building a replica of an Iron Age broch (which would be run as a tourist attraction) and the development of an archaeological trail. However, as yet no site has been identified for the project, and I therefore consider that it would be premature to refer to it in the Plan as a Placemaking Priority at John O'Groats.

23. The Plan acknowledges the important role which the historic environment already plays in the tourism industry and the wider economy of Caithness and Sutherland, and cites the Caithness Broch Project as an example of this.

24. I appreciate the community council's concern to ensure that the coastal path between John O'Groats and Duncansby Ness is reinstated, as this was evidently a very popular route before it was destroyed by storms. However, it has already been repaired (and lost) on 2 occasions, and I can understand the council's reluctance to pledge to restore it again until it is adequately protected by coastal defences. In the absence of a coastal protection scheme, I consider that it would be unwise to make a commitment in the Plan to restore and maintain the path in such a vulnerable location. Meanwhile, the Consultative Report indicates that the council has been exploring an alternative route avoiding this section of the path.

25. The community council's aspiration to create a long distance footpath around the coast of Caithness is discussed above.

26. The Plan does not contain detailed proposals for the regeneration of John O'Groats; nor does it include an updated masterplan for the village. I consider that it would be wrong for the Plan to specify the access and car parking arrangements which should apply when the next phase of improvements is carried out. These are matters for consideration when a detailed planning application is submitted, at which time there will be a full opportunity for consultation and discussion with relevant parties including the community council. I therefore do not propose to modify the Plan as suggested.

27. I recognise the attraction of displaying the Frank Sutherland museum loan collection at John O'Groats, as it would help to interpret the cultural heritage of the area to visitors and local residents alike, but this is a question for the council and the resort owners and is

not a matter for the Local Development Plan.

Keiss

28. One of the Issues for Keiss which is highlighted in the Plan is the significant housing development which has taken place in the wider crofting community rather than within the village. Accordingly, one of the Placemaking Priorities is to focus future development within or close to the existing village to safeguard the surrounding croftland from ad hoc development. However, the Crofting Commission raises a legitimate point that an appropriate development should not be prohibited where it is required for croft management, and I propose to modify the Plan accordingly. The council's alternative form of words does not appear to flow from the terms of the representation.

Latheronwheel

29. I note that the Crofting Commission raises no objection to the terms of the Plan relating to Latheronwheel.

30. Dunbeath to Sgaps Geo Site of Special Scientific Interest (SSSI), which runs past Latheronwheel, is designated for its nationally important maritime cliff vegetation. It is appropriate that this designation is recognised in the Placemaking Priorities for the settlement, and I shall recommend accordingly.

Reay

31. The Crofting Commission raises no objection to the proposed priorities for Reay, and so there is no issue for me to examine in that regard.

Thrumster

32. I note that the sea cliffs at Sarclet (to the south-east of Thrumster) attract climbers, but there is no suggestion that the Plan requires to be modified to reflect that knowledge.

33. I appreciate RSPB Scotland's concern to avoid any development at Thrumster from having adverse impacts on breeding waders such as lapwing, curlew and oystercatcher. However, I am content that this objective can be secured through the operation of the relevant policies in the Highland-wide Local Development Plan – in particular Policy 58: Protected Species and Policy 59: Other Important Species – which will ensure proper regard is had to the presence of important bird species on sites under consideration for development. There is no need to make a specific reference to the matter within the Placemaking Priorities for Thrumster.

34. In relation to the comment from the Crofting Commission, I consider that the potential development site north of Stewart Crescent is well located close to the village centre, and is easily accessible. This is the obvious direction of growth in the settlement, and is preferable to the ribbon of development to the south east of the village. Therefore, I do not propose to recommend a modification to the Plan in response to this representation.

Watten

35. Watten is a small village with a good range of services, including a primary school, village hall, church, hotel and post office/general store. Most development is concentrated

on either side of the A882, but there is further housing along the B870 (Station Road) which leads to Loch Watten.

36. The Plan already recognises that there may be the potential for housing development on the north side of the A882, amongst other places. One such opportunity may be the field to the north west of the primary school which is highlighted in the representation. The land is well related to the settlement, and there is already a surfaced access and a junction with good visibility onto the A882. It makes sense for the Plan to refer to this site in particular, as the council now suggests.

37. I consider that Henderson Square, a quadrant of houses on the west side of Station Road, represents the obvious boundary to the village at this point. I agree with the council that the more recent ribbon development along the B870 is disjointed from, and not in keeping with, the settlement. I am also concerned that additional development in this form would spoil the approach to Loch Watten from the south. I therefore agree with the Placemaking Priority to prohibit further linear development along the B870 past Henderson Square.

38. In the light of the opportunities for future growth of the village (in three different directions) which have already been identified in the Plan, I do not accept the suggestion that the Plan could cause the village to stagnate. It is reasonable to seek to safeguard the countryside around the village, and in particular the high quality agricultural land surrounding the settlement, from further, unplanned development. Therefore, I do not propose to remove this Placemaking Priority.

39. There is an extensive area of land to the east of the B870 south of Watten Hall, but it is unclear how or whether a satisfactory access could be achieved from the B870 or A882. In any case, as stated above I am content that the Plan has already identified sufficient opportunities for growth to enable the village to thrive during the Plan period and beyond.

Reporter's recommendations:

I recommend that the following modifications be made:

<u>Dunbeath</u>

1. Under the Dunbeath section of Caithness Growing Settlements, page 57, delete the 5th Placemaking Priority and substitute:

"Protect natural heritage features along the north bank of Dunbeath Water, development should avoid any adverse effect on East Caithness Cliffs SPA, MPA and SAC or Dunbeath Water SSSI."

<u>Dunnet</u>

2. Under the Dunnet section of Caithness Growing Settlements, page 58, amend the 5th Placemaking Priority to read:

"Avoid any adverse effect on North Caithness Cliffs SPA or Dunnet Links SSSI".

John O'Groats

3. Under the John O'Groats section of Caithness Growing Settlements, page 59, add the following Placemaking Priority to read:

"The restoration of John O'Groats Mill has the potential to form the focus for a range of cultural, commercial and community activities".

Keiss

4. Under the Keiss section of Caithness Growing Settlements, page 60, amend the 5th Placemaking Priority to read:

"Focus future development within or close to the existing village to safeguard the surrounding croftland from ad hoc development, unless there are justifiable reasons in terms of croft management."

Latheronwheel

5. Under the Latheronwheel section of Caithness Growing Settlements, page 61, amend the last Placemaking Priority to read:

"Avoid any adverse effects on East Caithness Cliffs SAC and SPA and Dunbeath to Sgaps Geo SSSI."

Watten

6. Under the Watten section of Caithness Growing Settlements, page 64, amend the 5th Placemaking Priority to read:

"Housing opportunities may exist on the east side of Station Road, land immediately north west of the primary school, and east of Bain Place."

Issue 16	**Ardgay**	
Development plan reference:	Ardgay pages 67 - 70	**Reporter:** Chris Norman

Body or person(s) submitting a representation raising the issue (including reference number):

Ardgay & District Community Council (951607)
Balnagown Castle Properties (968666)
Dowling (976043)
Network Rail (980184)
SEPA (906306)
SNH (909933)

Provision of the development plan to which the issue relates:	Ardgay settlement text, placemaking priorities and site allocations.

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

Ardgay General

Balnagown Castle Properties (968666) - We support the continued identification of Ardgay as a settlement and are encouraged to see the continuation of housing and economic development proposals there to the new plan. If there is any change proposed to this through the Examination process we would like to be involved in the discussion.

Ardgay & District Community Council (951607) - Seeks the text about the Gearrchoille Ancient Woodland in paragraph 127 to be updated to reflect community ownership: it should be changed from, "The Gearrchoille Ancient Woodland is in the care of the local community" to "The Gearrchoille Ancient Woodland is owned by and is in the care of the local community."

Paragraph 126 refers to land behind the public hall; this is currently a green space with occasional vehicles parked at it. It is contiguous with the Lady Ross site (AG02) therefore it would make more sense to consider how this area is used to meet needs when drawing up the plans for the regeneration of the Lady Ross site rather than being piecemeal and definitive about at this stage. Funding has been found for the regeneration of the AGO2.

AG02 Lady Ross

Dowling (976043) - Feels strongly that something needs to be done with the site, but it must be something that is suitable for the local area. Access should only be taken from the front of the site off the main road. Housing is the preferred option, industrial units would not be suitable.

AG03 Ardgay Railway Station Yard North

Scottish Natural Heritage (909933) - For consistency and clarity, the "Developer Requirements" should include text that "Development proposals will require to

demonstrate that there would be no adverse effect on the integrity of the Dornoch Firth & Morrich More SAC.", rather than just requiring an otter survey.

Network Rail (980184) - This site is in continuous use for operational railway purposes; however there are potential 3rd party activities which would suit this location. The proposed 'Business' allocation is too restrictive and given the site's present use, it is demonstrably suitable for Class 5 activities. Either Class 4 Business or Class 5 General Industrial should be encouraged for the site; subject to the requirements stated.

AG04 Ardgay Railway Station Yard South

SNH (909933) - For consistency and clarity, the "Developer Requirements" should include text that "Development proposals will require to demonstrate that there would be no adverse effect on the integrity of the Dornoch Firth & Morrich More SAC.", rather than just requiring an otter survey.

SEPA (906306) - In line with Policy 65 of the Highland Wide Local Development Plan, connection to the public sewer is required for development unless the development is unable to connect for technical or economic reasons and the proposal is not likely to result in or add to significant environmental or health problems. Such an approach is also generally supported by SEPA's Policy and Supporting Guidance on Provision of Waste Water Drainage in Settlements (available from www.sepa.org.uk/media/59942/policy-37-policy-and-supporting-guidance-on-provision-of-waste-water.pdf). Therefore SEPA objects to the developer requirement "Private waste water system should discharge to land and not water; Further development should explore the possibility of connecting to the public sewer" and ask that it be removed. This amendment will ensure that this allocation is dealt with in the same manner as all other sites in settlements served by a public sewer i.e. it will be expected to connect. Policy 65 allows for exceptions where an alternative solution may be acceptable.

Modifications sought by those submitting representations:

Ardgay General

Ardgay & District Community Council (951607) - Delete wording, "The Gearrchoille Ancient Woodland is in the care of the local community" and replace with, "The Gearrchoille Ancient Woodland is owned by and is in the care of the local community."

At paragraph 126 include working which states the land behind the public hall could also be considered when plans are being drawn up for the regeneration of the Lady Ross site.

AG03 Ardgay Railway Station Yard North

SNH (909933) - Developer requirements should include the following: "Development proposals will require to demonstrate that there would be no adverse effect on the integrity of the Dornoch Firth & Morrich More SAC.", and delete the requirement for an otter survey.

Network Rail (980184) - Industrial should be added to the range of acceptable uses for this site.

AG04 Ardgay Railway Station Yard South

SNH (909933) - Developer requirements should include the following: “Development proposals will require to demonstrate that there would be no adverse effect on the integrity of the Dornoch Firth & Morrich More SAC.”, and delete the requirement for an otter survey.

SEPA (906306) - Remove the following from the developer requirements: “Private waste water system should discharge to land and not water; Further development should explore the possibility of connecting to the public sewer”

Summary of responses (including reasons) by planning authority:

Ardgay General

The support for the continued identification of Ardgay as a settlement along with the continuation of housing and economic development proposals, are noted.

If the Reporter is so minded, the Council is agreeable to the following text, “The Gearrchoille Ancient Woodland is in the care of the local community” being replaced with, “The Gearrchoille Ancient Woodland is owned by and is in the care of the local community.”

With reference to paragraph 126, during the MIR consultation Ardgay and District Community Council asked for the site behind Ardgay Public Hall to be included as a site for mixed use for tourism, open space, business, access and community. This site was then subject to an additional period of consultation. One comment received thought that there was ample housing stock in the area and all the other respondents thought it would be best used as additional car parking. The site is in Council ownership, so there could be potential to transfer the site to a group, but these issues would need to be explored further in detail. It may be noted that the area of land does not form part of the two recent planning applications (referenced below in respect of site AG02) but that if those proposals do not proceed then the area of land could be considered for inclusion in any future alternative proposals.

AG02 Lady Ross

Note the (assumed) support for the allocation of this site. Industry is not one of the uses specified in the mixed use allocation. There is already a developer requirement which limits the site to one access point. Two recent planning applications have been approved for this site;16/02633/FUL for a new village square, associated parking and refurbishment of a derelict barn to create a business hub and offices; and 16/05646/FUL for 4 houses.

AG03 Ardgay Railway Station Yard North

This site was not included in the draft HRA but SNH has advised that it should be screened in for potential impacts on the Dornoch Firth and Morrich More SAC alone and in combination. The Council will amend the HRA and complete the necessary Appropriate Assessment. As the HRA requires to be signed off by SNH for the plan to be adopted, the Council is content for the Reporter to add the following developer requirement to the allocation: “Development proposals will require to demonstrate that there would be no adverse effect on the integrity of the Dornoch Firth & Morrich More SAC.” The subsequent deletion of the text asking for an otter survey would also be acceptable to the Council.

The site is currently allocated in the Sutherland Local Plan for business use only.

The adjacent uses including residential may not be good neighbours for industrial use. No modification is proposed by the Council.

AG04 Ardgay Railway Station Yard South

This site was not included in the draft HRA but SNH has advised that it should be screened in for potential impacts on the Dornoch Firth and Morrich More SAC alone and in combination. The Council will amend the HRA and complete the necessary Appropriate Assessment. As the HRA requires to be signed off by SNH for the plan to be adopted, the Council is content for the Reporter to add the following developer requirement to the allocation: "Development proposals will require to demonstrate that there would be no adverse effect on the integrity of the Dornoch Firth & Morrich More SAC." The subsequent deletion of the text asking for an otter survey would also be acceptable to the Council.

In order to ensure consistency with Policy 65 of the Highland-wide Local Development Plan (CD18), the Council is content for the following to be deleted from the developer requirements, if the Reporter is so minded: "Private waste water system should discharge to land and not water; Further development should explore the possibility of connecting to the public sewer".

Reporter's conclusions:

Ardgay General

1. The area of land to the rear of the public hall referred to in paragraph 126 of the Plan is an informal and maintained area of open space with limited parking provision. It adjoins houses in Carron Place to the east. Following the grant of two planning permissions, development has now commenced on the regeneration of the village's adjoining central area. The land to the rear of the public hall is in council ownership but is not included in these planning permissions.

2. I agree that this land may have the potential, in the medium and longer term, to be used for ancillary community purposes, which could include overspill car parking, subject to any residential amenity and road safety considerations being addressed, and if there is an identified need. Once the adjoining regeneration scheme is complete and fully operational the need for any additional car parking in the centre of Ardgay can be monitored to establish whether further provision is required. I note that paragraph 126 already refers to the land as a potential location for additional car parking, and I consider that there would be merit in amending this paragraph to ensure that regard is had to residential amenity and the need for a safe parking layout.

3. The Plan recognises the importance of Gearrchoille Ancient Woodland, located adjacent to the southern approach to the village. I note that it is well-managed by its owners, the local community, and it is a valuable local amenity. I am satisfied that the amended wording now proposed by the planning authority, which acknowledges the local community's ownership of the woodland, would answer the representation of the community council and I consider that paragraph 127 of the Plan should be modified accordingly.

AG02 Lady Ross

4. I agree that regeneration work in the central part of the village is important, and I note that the two planning permissions for the redevelopment of the centre of the village around the Lady Ross site are now being implemented. The planning authority has explained that one planning permission includes the provision of four houses and the other, for the overall scheme, excludes industrial uses. As the terms of the representation are now addressed by the two planning permissions, I do not consider it necessary to adjust the Plan.

AG03 Ardgay Railway Station Yard North

5. Ardgay Railway Station Yard North is located in the Settlement Development Area and its northern, western and southern boundary is close to housing. To the east it is adjacent to the boundary of the Dornoch Firth and Morrich More Special Area of Conservation (SAC). It lies on the A836, the principal southern approach into the village.

6. The site presently serves as operational land for railway purposes, and it is under used. I note that the Plan's Placemaking Priorities include assisting and promoting economic development. The diversification of the site's existing operational use to assist economic development is therefore supported by the Plan. The site is allocated in the Plan for Class 4 Business use and I consider that this is an appropriate use in this case, given the safeguards for residential amenity included in this class. This additional use would augment the existing operational use by Network Rail and allow flexibility for the establishment of a wider range of uses that would be compatible with the adjacent housing and accord with the Plan's Placemaking Priorities for Ardgay.

7. However, I am not persuaded that uses within class 5 General Industrial use, as sought by Network Rail, would be appropriate because of their potentially adverse effects on the residential amenity of adjacent houses. Combining this with the potentially adverse visual impact that general industrial development could have on the approach to the village centre, I do not consider that the Plan should be modified.

8. Given that the site is adjacent to the boundary of the Dornoch Firth and Morrich More SAC (an internationally important designation), I agree with the comments of Scottish Natural Heritage (SNH) that it is important to ensure that its development does not have any potentially adverse impacts on the SAC. Specifically, the nature of a business use could give rise to potential effects which SNH considers would require more than an otter survey to be prepared as part of the site's Developer Requirements. In the circumstances, I consider that the Plan should be modified by deleting the Developer Requirement for an otter survey, and inserting a reference to the SAC in the manner outlined below. This will require a consequential amendment to the Habitats Regulations Assessment (HRA).

AG04 Ardgay Railway Station Yard South

9. Ardgay Railway Station Yard South is located within the Ardgay Settlement Development Area and its northern boundary is adjacent to housing. It is also adjacent to the boundary of the Dornoch Firth and Morrich More Special Area of Conservation (SAC) and it lies on the A836, the principal southern approach into the village. The site presently serves as operational land for railway purposes and it is under used. I note that the Plan's Placemaking Priorities include assisting and promoting economic development, and the diversification of the site's existing operational use to assist economic development is

therefore supported by the Plan. The site is allocated in the Plan for Class 4 Business use.

10. Given that the site is adjacent to the boundary of the Dornoch Firth and Morrich More SAC (an internationally important designation), I agree with the comments of Scottish Natural Heritage (SNH) that it is important to ensure that its development does not have any potentially adverse impacts on the SAC. Specifically, the nature of a business use could give rise to potential effects which SNH considers would require more than an otter survey to be prepared as part of the site's Developer Requirements. In the circumstances, I consider that the Plan should be modified by deleting the Developer Requirement for an otter survey, and inserting a reference to the SAC in the manner outlined below. This will require a consequential amendment to the Habitats Regulations Assessment (HRA).

11. SEPA's concerns about the Developer Requirements for this site relate to the discharge of private waste water from the site on to land. I agree that this development should be dealt with in the same manner as all other developments in settlements that are served by a public sewer with which it should connect, as would be consistent with Policy 65 of the Highland-wide Local Development Plan (HwLDP). The deletion of the 2 relevant Development Requirements, as proposed by the planning authority, would address this issue and I propose to modify the Plan accordingly.

Reporter's recommendations:

I recommend the following modifications be made:

<u>Ardgay general</u>

1. Under the Ardgay section of the Sutherland Settlements, page 67, adjust paragraph 126 to read:

"…Land behind the public hall could be a potential location for additional car parking to the village, subject to suitable funding being found and having regard to residential amenity and the need for a safe parking layout being accommodated."

2. Under the Ardgay section of the Sutherland Settlements, page 67, adjust the 1st sentence of paragraph 127 to read:

"The Gearrchoille Ancient Woodland is owned by and is in the care of the local community…."

<u>AG03 Ardgay Railway Station Yard North</u>

3. Under the Ardgay section of the Sutherland Settlements, page 69, delete the Developer Requirement for AG03 relating to an otter survey (7th clause), and replace it with a new requirement to read:

"…Development proposals will require to demonstrate that there would be no adverse effect on the integrity of the Dornoch Firth & Morrich More SAC;…"

<u>AG04 Ardgay Railway Station Yard South</u>

4. Under the Ardgay section of the Sutherland Settlements, page 70, delete the

Developer Requirement for AG04 relating to an otter survey (8th clause), and replace it with a new requirement to read:

"…Development proposals will require to demonstrate that there would be no adverse effect on the integrity of the Dornoch Firth & Morrich More SAC;…"

5. Under the Ardgay section of the Sutherland Settlements, page 70, delete the 2 Developer Requirements for AG04 relating to discharge from a private waste water system (6th clause), and exploring a possible connection to the public sewer (7th clause)."

Issue 17	**Bonar Bridge**	
Development plan reference:	Bonar Bridge pages 71 - 73	**Reporter:** Chris Norman
Body or person(s) submitting a representation raising the issue (including reference number):		
Crofting Commission (955042) SNH (909933)		
Provision of the development plan to which the issue relates:	Bonar Bridge site allocations	
Planning authority's summary of the representation(s):		

BB01 Cherry Grove

SNH (909933) - The "Developer Requirements" for BB01 should include text that "Development proposals will require to demonstrate that there would be no adverse effect on the integrity of the Dornoch Firth & Morrich More SAC or the River Oykel SAC.", rather than just requiring an otter survey. As this site is within the Dornoch Firth NSA, the "Developer Requirements" should include explicit reference to the location being within the NSA. For example, the text could be amended to read "…Design Statement, which includes a landscaping plan, to be prepared to safeguard the landscape features and setting that contribute to the special qualities of the Dornoch Firth NSA. "

Crofting Commission (955042) - This allocation appears to consist of in-bye croft land. Most of the land above the village is croft land.

BB02 South Bonar Industrial Estate

SNH (909933) - As potential development at BB02 is "limited to previously developed areas" it is unlikely that the interests of the Dornoch Firth & Morrich More SAC will be affected. Therefore the "Developer Requirement" for an otter survey can be removed.

Modifications sought by those submitting representations:

BB01 Cherry Grove

SNH (909933) - Add the following to the developer requirements:

- "Development proposals will require to demonstrate that there would be no adverse effect on the integrity of the Dornoch Firth & Morrich More SAC or the River Oykel SAC.", rather than just requiring an otter survey.
- "…Design Statement, which includes a landscaping plan, to be prepared to safeguard the landscape features and setting that contribute to the special qualities of the Dornoch Firth NSA. "

BB02 South Bonar Industrial Estate

SNH (909933) - Remove developer requirement for an otter survey.

Summary of responses (including reasons) by planning authority:

BB01 Cherry Grove

The comments from the Crofting Commission are noted. The allocation is allocated in the Sutherland Local Plan as a Mixed Use allocation for housing and community uses and the new Migdale Hospital has been built on part of the site since the Sutherland Local Plan was adopted. Therefore the Council feels the site allocation should remain unchanged.

This site was not included in the draft HRA but SNH has advised that it should be screened in for potential impacts on the Dornoch Firth and Morrich More SAC and the River Oykel SAC, alone and in combination. The Council will amend the HRA and complete the necessary Appropriate Assessment. As the HRA requires to be signed off by SNH for the plan to be adopted, the Council is content for the Reporter to add the following developer requirement to the allocation, "Development proposals will require to demonstrate that there would be no adverse effect on the integrity of the Dornoch Firth & Morrich More SAC or the River Oykel SAC". The subsequent deletion of the text asking for an otter survey would also be acceptable to the Council.

The place making priorities for Bonar Bridge already reflect the settlement's location within the Dornoch Firth National Scenic Area and the need for sensitive siting and design. The developer requirements for the site already ask for sensitive siting and design and for a Design Statement. The Council considers this is sufficient, however, if the Reporter is so minded the Council is agreeable to the suggestion made by SNH for a more explicit reference being added to the developer requirements which reads: "Design Statement, which includes a landscaping plan, to be prepared to safeguard the landscape features and setting that contribute to the special qualities of the Dornoch Firth NSA."

BB02 South Bonar Industrial Estate

If the Reporter is so minded, the Council is content for the requirement for an otter survey to be deleted.

Reporter's conclusions:

BB01 Cherry Grove

1. Originally allocated in the Sutherland Local Plan (SLP), this 5.1 hectare site has an indicative housing capacity of 30. It comprises, in the main, a sloping, south-facing field that has recently been developed, in part, for the now completed replacement Migdale Hospital. It is bounded by residential properties to the west and north and existing core paths bisect its north western part. Located within the settlement boundary, I consider that it is an appropriate location for a mixed use development comprising housing and community uses, and it contributes to the housing land requirement.

2. I note the comments of the Crofting Commission that the Cherry Grove allocation appears to consist of a significant area of in-bye croft land. However, I am not persuaded that it is necessary to modify the Plan because development has already commenced on

this site, and it is a continuation of an existing allocation which builds on the existing settlement pattern.

3. Given the scale and capacity of the Cherry Grove allocation I agree with the comments of Scottish Natural Heritage (SNH) that it is important to ensure that its development does not have any potentially adverse impacts on both the Dornoch Firth and Morrich More Special Area of Conservation (SAC) and the River Oykel SAC. Specifically, the scale of the development could give rise to potential effects which SNH considers would require more than an otter survey to be prepared as part of the allocation's Developer Requirements. In the circumstances, I consider that the Plan should be modified by deleting the Developer Requirement for an otter survey, and inserting a reference to the SAC in the manner outlined below. This will require a consequential amendment to the Habitats Regulations Assessment (HRA).

4. The more elevated eastern part of the Cherry Grove site is visible from a wide area within the western part of the Dornoch Firth National Scenic Area (NSA), especially from around Ardgay and other locations to the south of the Dornoch Firth. I agree with SNH that its location within the NSA necessitates an especially well designed landscaping scheme that will ease its assimilation into this designated area. Its location also demands a sensitive design and the use of appropriate finishing materials to properly assimilate it within the current settlement structure and its setting. I consider it is therefore necessary to highlight the site's location within the NSA in the Developer Requirements for the site and I am satisfied that the amended wording now proposed by the planning authority would answer this point.

<u>BB02 South Bonar Industrial Estate</u>

5. South Bonar Industrial Estate supports a mix of uses and is important to the local economy. The allocation in the Plan limits development to previously developed areas of the industrial estate and does not encompass undeveloped land within the Dornoch Firth and Morrich More SAC. As such I agree with SNH that the need for an otter survey within the site's Developer Requirements is unnecessary and can be deleted. I therefore propose to amend the Plan accordingly.

Reporter's recommendations:

I recommend the following modifications be made:

<u>BB01 Cherry Grove:</u>

1. Under the Bonar Bridge section of the Sutherland Settlements, page 73, delete the Developer Requirement for BB01 relating to an otter survey (8th clause), and replace it with a new requirement to read:

"…Development proposals will require to demonstrate that there would be no adverse effect on the integrity of the Dornoch Firth & Morrich More SAC or the River Oykel SAC."

2. Under the Bonar Bridge section of the Sutherland Settlements, page 73, adjust the 3rd clause of the Developer Requirements for BB01, to read:

"…Design Statement, which includes a landscaping plan, to be prepared to safeguard the landscape features and setting that contribute to the special qualities of the Dornoch Firth

NSA…."

BB02 South Bonar Industrial Estate:

3. Under the Bonar Bridge section of the Sutherland Settlements, page 73, delete the Developer Requirement for BB03 relating to an otter survey (5th clause).

Issue 18	**Brora**	
Development plan reference:	Brora pages 74 - 78	**Reporter:** Chris Norman

Body or person(s) submitting a representation raising the issue (including reference number):

Brora Community Council (967669)
Brora & District Action Group (980301)
SEPA (906306)
SNH (909933)
Tulloch Homes Ltd (979063)
Network Rail ((980184)

Provision of the development plan to which the issue relates:	Brora settlement text, placemaking priorities and site allocations

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

Brora General

Brora Community Council (967669) - The Community Council agrees with the placemaking priorities but objects to there being no mention of the existing tourist facilities such as James Braid Golf Course, river and loch fishing, award winning beaches, surfing beaches, caravan sites etc.

Support (assumed) for the content of paragraph 136 - regeneration of the town centre should remain of paramount importance. The condition of these buildings is an area of ongoing local concern.

Objects to Lower Fascally not being a separate allocated site. Access to Core Path at Lower Fascally should be protected. Improving the existing recreational area and changing rooms in Lower Fascally would be useful (paragraph 139).

Brora & District Action Group (980301) - Support (assumed) for text in paragraph 137. Brora & District Action Group provide administrative support to the local Harbour Users Group for their project to provide pontoons to enhance the service provision for visitors to the harbour.

Objects to the following visitor attractions not being mentioned in the plan: Brora Golf Club; Clynelish Distillery with its visitor tours and retail area; sea and river fishing, sandy beaches; and easily accessible local and hill walks.

BR01 Rosslyn Street

SNH (909933) - Objects to the following wording in the developer requirements, "Avoid intrusion into adjacent SSSI". Recommends replacing it with, "Avoid intrusion into or adverse impacts on the Inverbrora SSSI or the Brora GCR site". This will ensure that developers are aware of the need to consider the relevant environmental interests.

Brora Community Council (967669) - Supports the allocation and agrees with the developer requirements. Affordable housing should form part of the site (assumed).

BR02 Old Woollen Mill

Brora Community Council (967669) - Supports the allocation as it enables working from home. Affordable housing should form part of the site (assumed).

Tulloch Homes Ltd (979063) - Supports the allocation. Tulloch Homes Ltd as owners of the site confirm their intention to progress development of the remaining phase of the Old Woollen Mill site in Brora where redevelopment to form 20 units has already been completed and a further 23 remain to be built per the existing planning consent.

BR03 East Brora Muir

Brora Community Council (967669) - Object to the site for the following reasons:

- Lack of alternative access, particularly emergency access to Golf Road and the houses beyond i.e. Ben Mailey Gardens, Victoria Drive, Victoria Crescent, Muirfield Drive, Muirfield Road. Currently the sole access is under the railway bridge from the A9. An alternative access has been an ongoing issue in this area of Brora.
- The area has grown exponentially.
- A water table survey was done some time ago and the area is known to flood.

BR04 Former Radio Station Site

Brora Community Council (967669) - Supports allocation as it is important for tourism and recreation.

Network Rail (980184) - Supports the inclusion of the developer requirement for a Transport Assessment to fully assess the potential impacts of the site's development on the level crossing. It is essential that a Transport Assessment is submitted in support of any planning application to quantify in detail the likely impacts on the rail network.

BR05 Scotia House

SEPA (906306) - Objects to the inclusion of a developer requirement for a Flood Risk Assessment. SEPA is not aware of any flooding in this area and it is not identified as an issue in the Environmental Report. In addition SEPA has checked with the Council's Flood Team and they have not identified the need for Flood Risk Assessment for this site. Unless the Council holds information SEPA is not aware of, it is recommended that the Flood Risk Assessment requirement is reconsidered.

BR06 Former MacKay's Garage

SNH (909933) - Objects to the following wording in the developer requirements, "Avoid intrusion into adjacent SSSI". Recommends replacing it with, "Avoid intrusion into or adverse impacts on the Inverbrora SSSI or the Brora GCR site". This will ensure that developers are aware of the need to consider the relevant environmental interests.

Tulloch Homes Ltd (979063) - Generally supports the allocation. Tulloch Homes Ltd as owners of the site confirm their intention to progress development of the Former MacKay's

Garage, Brora. The economic downturn of 2008 onwards affected the progress of many Highland development opportunities in the smaller towns and villages however as market conditions continue to prove more favourable it is important that opportunities exist to provide both private and affordable housing along with business opportunities. However the indicative housing capacity should not be overly prescriptive as the quality and suitability of the design solution for the site is a more appropriate determining factor.

BR07 Upper Fascally

Brora Community Council (967669) - Supports developer requirements. Funding is currently being sought by a community group to redevelop the recreation/play area in Upper Fascally. This is an opportunity to regenerate the area for the community and for recreational uses.

BR08 Adjoining Industrial Estate

Brora Community Council (967669) - Supports allocation as it is needed in the local community. The existing industrial estate has been there since 1961 (assumed).

Modifications sought by those submitting representations:

Brora General

Brora Community Council (967669) and Brora & District Action Group (980301) - Include the following tourism facilities in the general text: Golf course; river, sea and loch fishing; award winning beaches; surfing beaches; caravan site; Clynelish Distillery with its visitor tours and retail area; and easily accessible local and hill walks.

Brora Community Council (967669) - Include Lower Fascally as an allocation. Include text stating that access to the core path at Lower Fascally will be protected.

BR01 Rosslyn Street

SNH (909933) - Remove the following developer requirement, “Avoid intrusion into adjacent SSSI” and replace with, “Avoid intrusion into or adverse impacts on the Inverbrora SSSI or the Brora GCR site”.

BR03 East Brora Muir

Brora Community Council (967669) - Remove allocation (assumed).

BR05 Scotia House

SEPA (906306) - Remove the developer requirement for a Flood Risk Assessment.

BR06 Former MacKay’s Garage

SNH (909933) - Remove the following developer requirement, “Avoid intrusion into adjacent SSSI” and replace with, “Avoid intrusion into or adverse impacts on the Inverbrora SSSI or the Brora GCR site”.

Tulloch Homes Ltd (979063) - Make the indicative housing capacity more flexible.

Summary of responses (including reasons) by planning authority:

Brora General

The support from Brora Community Council for the placemaking priorities and in particular promoting the regeneration of the town centre is noted.

The support from Brora and District Action Group for the inclusion of text about the harbour at paragraph 137 is noted.

The purpose of paragraph 138 was to highlight the importance of tourism to Brora and was not intended to list all the tourism facilities/attractions. Therefore the Council do not feel it is necessary to include a list of these in the settlement text. However, if the Reporter is so minded the Council would be agreeable to some extra tourist facilities being listed in paragraph 138.

Land at the Lower Fascally - or as it is referred to in the plan the Former River Fascally recreation area – is not allocated for development in the Plan. It is however included in the settlement text for Brora at paragraph 139. It was identified as a potential development site during the Call for Sites and Ideas. It was then included in the Main Issues Report (CD04) as a non –preferred site. The site is at high risk of flooding and SEPA has advised that because of this it is unsuitable for most forms of development. It is also separate from the rest of the settlement, with no footpath link. The site has historically been used for recreation use and this use can continue. The Council considers that it is not appropriate to allocate it as a site in the plan and therefore no modification is proposed by the Council. However if the Reporter is so minded, the Council would be agreeable to additional text being added to paragraph 139 to reflect the presence of the Core Path as shown on the settlement map.

BR01 Rosslyn Street

Policy 57 in the Highland-wide Local Development Plan (HwLDP) (CD18) already provides protection for natural, built and cultural heritage features and sets out tests against which all developments must be assessed. Therefore together with this, the Council feels that the developer requirement, “Avoid intrusion into adjacent SSSI” is sufficient. However if the Reporter is so minded, the Council is content for this developer requirement to be deleted and replaced with, “Avoid intrusion into or adverse impacts on the Inverbrora SSSI or the Brora GCR site” as it would help ensure that developers are aware of the need to consider the relevant environmental interests.

The support from Brora Community Council for the allocation and developer requirements is noted. As per Policy 32 in the HwLDP (CD18), where four or more houses are to be built on a site, there is an expectation that 25% of them will be affordable, taking into account market and site conditions and the financial viability of the proposal.

BR02 Old Woollen Mill

The support from Brora Community Council for the allocation is noted. As per Policy 32 in the HwLDP (CD18), where four or more houses are to be built on a site, there is an expectation that 25% of them will be affordable, taking into account market and site conditions and the financial viability of the proposal. The site is covered by an extant planning permission and affordable housing on site is a condition of the planning

permission.

The support from Tulloch Homes Ltd as the owner of the site is also noted.

BR03 East Brora Muir

The site is currently allocated in the Sutherland Local Plan (CD16) and there has been no housing completions in or around the site since this plan was adopted.

There is a developer requirement for a Transport Statement to assess impact on existing residential streets and extent of any mitigation required. Traffic calming remote from the site is also noted as potentially being required. There is no objection from Transport Scotland and Transport colleagues in the Council are content with the developer requirements for the allocation.

We are requiring a masterplan for the site to try and prevent piecemeal development. This will also ensure that the scale of development on the site can be appropriate to the nature of the roads accessing the site.

SEPA advised that there is a small part of the site which is at risk from surface water flooding but advised that a Flood Risk Assessment was not required. Advice from the Council's Flood Team confirmed that no flood risk assessment is required.
No modification is proposed by the Council.

BR04 Former Radio Station Site

The support for the allocation for tourism and recreation uses is noted. The support for the Transport Assessment requirement is also noted.

BR05 Scotia House

If the Reporter is so minded, the Council is content for the developer requirement for a Flood Risk Assessment to be removed, based on the advice from SEPA and the Council's Flood Risk Team.

BR06 Former MacKay's Garage

Policy 57 in the Plan HwLDP (CD18) already provides protection for natural, built and cultural heritage features and sets out tests against which all developments must be assessed. Therefore together with this, the Council feels that the developer requirement, "Avoid intrusion into adjacent SSSI" is sufficient. However if the Reporter is so minded, the Council is content for the this developer requirement to be deleted and replaced with, "Avoid intrusion into or adverse impacts on the Inverbrora SSSI or the Brora GCR site" as it would help ensure that developers are aware of the need to consider the relevant environmental interests.

The support of the site owner is noted and the Council welcomes their statement that they intend to progress with development of the site. Indicative site capacities are given for each allocated site and are based on the need to promote efficient use of land. It is expected that planning applications will be generally consistent with the indicative capacity. It is however recognised that a different capacity than that specified may be acceptable subject to detailed design that demonstrates efficient use of land and

satisfactory site layout. This is set out in the supporting text to Policy 2 Delivering Development and therefore it is not felt that any change needs to be made to the indicative capacity for this site.

BR07 Upper Fascally

Support from Brora Community Council is noted.

BR08 Adjoining Industrial Estate

Support from Brora Community Council is noted.

Reporter's conclusions:

Brora general

1. Paragraph 138 of the Plan confirms the vital importance of tourism in Brora, although both Brora Community Council and Brora and District Action Group consider that additional visitor attractions ought to be cited. There is an extensive range of important visitor attractions in Brora which encompass, in particular, the town's natural and built heritage, and several are included in the Plan's Placemaking Priorities. Whilst I do not consider it essential that every tourist facility in and around Brora ought to be cited in the Plan, I agree with the planning authority that further visitor attractions could usefully be named and I propose to modify paragraph 138 of the Plan accordingly by including those which are a Placemaking Priority.

2. Land at Lower Fascally, referred to in paragraph 139 as the former River Fascally recreation area, is adjacent to the River Brora and is in the countryside outwith the Brora Settlement Development Area (SDA). A Placemaking Priority of the Plan is the maintenance of a green corridor along the river, out towards the coastline. This land at the former River Fascally recreation area complements the town's existing heritage centre at Upper Fascally where a second Placemaking Priority in the Plan is the delivery of a replacement facility.

3. Brora Community Council objects to the land at Lower Fascally not being a separate allocated site. However, from my observations, I acknowledge that its riverside location could potentially render it vulnerable to flooding. In addition, the absence of an adequate pedestrian link along the adjacent unclassified road leading to the town centre constrains the site's potential for residential development. Overall, and for these reasons, I agree with the planning authority that the site is unsuitable for built development.

4. The site does however provide important opportunities for formal and informal recreation and it complements the Placemaking Priority for a green corridor along the River Brora. In particular, I note the presence of the existing core path around the land south and west of the existing changing rooms. I agree with paragraph 139 of the Plan that improvements to the recreation area, including new changing rooms, could enhance this locally important facility and note the comments of the planning authority that additional text could be added to paragraph 139 to reflect the presence of the core path, as shown on the settlement map. Overall I consider that the site contributes to the green corridor alongside the River Brora, in line with one of the Plan's Placemaking Priorities, and I propose to modify paragraph 139 accordingly in the manner I set out below.

5. However because of the proximity of the site to the River Brora and the potential of flooding, its location outwith the SDA and the absence of a pedestrian link to the town, I do not propose to modify the Plan by allocating the site for development as suggested in the representation from Brora Community Council.

BR01 Rosslyn Street

6. This 0.8 hectare site is within the Brora Settlement Development Area (SDA). It has an indicative housing capacity of 10 and is subject to several Developer Requirements. Brora Community Council supports the allocation of this prominent site. The partial formation of an access road within the site is evidence that development has commenced. I note the planning authority's comment that affordable housing will be required, in accordance with policy 32 of the Highland-wide Local Development Plan (HwLDP).

7. The site is close to Inverbrora Site of Special Scientific Interest (SSSI) and the Brora Geological Conservation Review site (GCR), both of which are important national environmental assets. I agree with Scottish Natural Heritage (SNH) that it is important that the Developer Requirements ensure that any new housing avoids disturbance to these designated areas. Accordingly, as sought by SNH, I propose to modify the Developer Requirements by changing the wording in the manner suggested by the planning authority.

BR02 Old Woollen Mill

8. I note the support from Brora Community Council and the developer for the continued allocation of this partially completed site, with an indicative housing capacity of 23 units. The representations raise no issues which would require a change to this allocation.

BR03 East Brora Muir

9. This is an extensive 2.6 hectare site adjacent to the northern boundary of Brora and was previously allocated in the Sutherland Local Plan. It is allocated in the Plan for housing and community use and has an indicative housing capacity of 25.

10. Access to this site is via a network of residential streets. This is a cause of concern to Brora Community Council, particularly due to recent growth in this part of Brora and the restricted access to the site under the railway bridge from the A9. I note however that there are no objections to the site's development in road safety terms from either Transport Scotland or the council's transportation team.

11. Brora Community Council also expresses concerns about the site's vulnerability to flooding. Although it appears that there is a risk of surface water flooding on a small part of the site, neither SEPA nor the council's flood risk team considers that a Flood Risk Assessment is necessary in this case, or has indicated that development should not proceed.

12. Although Brora Community Council wishes the site's allocation to be removed from the Plan, I see no reason to do so given its earlier allocation, the absence of any objection from Transport Scotland and the council's transportation team on road safety grounds, the absence of any objection from SEPA and the council's flood team on the grounds of flooding, and the ability of the planning authority to regulate the site's phasing and access by requiring the submission of a masterplan. Indeed, I consider that the preparation and submission of a masterplan setting out the future phasing and layout of the site, and

reflecting its preferred community use for allotments, is a necessity, rather than just beneficial as indicated in the Developer Requirements. Such an approach would avoid piecemeal development, enabling a co-ordinated approach to the implementation of any requirements of the Transport Statement.

13. Accordingly, I do not propose to modify the Plan by deleting the allocation. Instead, I propose to modify it by changing the Developer Requirements to make it necessary to submit a masterplan and setting out more detail on the matters the masterplan is to address.

BR04 Former Radio Station Site

14. I agree with those supporting this allocation that the prominent coastal site of the former radio station, which is close to the historic harbour, could serve as an attractive tourism and recreation facility.

15. The principal road access to the site is via a level crossing and a material increase in the use of the level crossing could be a consequence of the use of the site as a tourist facility. Network Rail supports the Developer Requirement in the Plan for a Transport Assessment relating to the impact of development on the crossing.

16. The representations raise no matters requiring a change to the Developer Requirements for BR04, or the Plan in general.

BR05 Scotia House

17. I note that neither SEPA nor the council's flood team deem it necessary for there to be a Developer Requirement for a flood risk assessment at this site.

18. In view of this technical assessment, I propose to modify the Plan by deleting this Developer Requirement.

BR06 Former MacKay's Garage

19. This is a prominent 0.3 hectare site with an indicative housing capacity of 4 units. It currently displays an unattractive appearance and has a highly visible frontage from the A9 at the southern approach into the town. The site is within the Brora Settlement Development Area (SDA).

20. The site is close to Inverbrora Site of Special Scientific Interest (SSSI) and the Brora Geological Conservation Review site (GCR), both of which are important national environmental assets. I agree with Scottish Natural Heritage (SNH) that it is important that the Developer Requirements ensure that any new housing avoids disturbance to these designated areas. Accordingly, as sought by SNH, I propose to modify the Developer Requirements by changing the wording in the manner suggested by the planning authority.

21. The redevelopment of this former garage site is appropriate. While I note that the developer, who is the landowner, supports the allocation and intends to progress development on this site, he seeks flexibility in its indicative capacity as set out in the Plan.

22. I note the planning authority's comment that it is expected that planning applications will be generally consistent with the indicative housing capacity figure given in the Plan.

However, the supporting text in the Plan for Policy 2: Delivering Development, recognises that a different capacity than that specified in the Plan may be acceptable, subject to detailed design considerations that demonstrate the efficient use of land and a satisfactory site layout.

23. I therefore consider that the Plan already contains sufficient flexibility in relation to site capacities, and I do not believe that any change to it is necessary.

BR07 Upper Fascally and BR08 Adjoining Industrial Estate

24. I note the support for these allocations. The representations raise no matters which require to be considered at this examination.

Reporter's recommendations:

I recommend that the following modifications be made:

Brora General

1. Under the Brora section of the Sutherland Settlements, page 74, delete the 2nd sentence of paragraph 138 relating to visitor attractions, and replace it with the following 2 new sentences to read:

"…There are numerous local visitor attractions based upon the town's coastal and countryside setting and its historic heritage, including those recognised as Placemaking Priorities. Such attractions include the Heritage Centre, the historic harbour, coastal and riverside footpaths, the whisky distillery and the golf course…"

2. Under the Brora section of the Sutherland Settlements, page 74, delete the 2nd sentence of paragraph 139 relating to opportunities for improvements to the existing recreational area, and replace it with the following new sentence to read:

"…However there are opportunities to enhance the existing recreational area by the promotion and maintenance of the adjacent core path, the maintenance of a green corridor along the River Brora and the provision of new or improved changing facilities."

BR01 Rosslyn Street

3. Under the Brora section of the Sutherland Settlements, page 76, delete the Developer Requirement relating to the SSSI (3rd clause) and replace it with a new requirement to read:

"Avoid intrusion into, and adverse impacts on, the Inverbrora SSSI and the Brora Geological Conservation Review site."

BR03 East Brora Muir

4. Under the Brora section of the Sutherland Settlements, page 76, delete the Developer Requirement relating to the masterplan (4th clause) and replace it with a new requirement to read:

"…A masterplan is necessary to prevent piecemeal development and it is to set out the

future phasing and layout of the site and show a co-ordinated approach to the implementation of any requirements of the Transport Statement and reflect the preferred community use for allotments…"

BR05 Scotia House

5. Under the Brora section of the Sutherland Settlements, page 77, delete the Developer Requirement in BR05 relating to a flood risk assessment (3rd clause).

BR06 Former Mackay's Garage

6. Under the Brora section of the Sutherland Settlements, page 77, delete the Developer Requirement relating to the SSSI (4th clause) and replace it with a new requirement to read:

"…Avoid intrusion into, and adverse impacts on, the Inverbrora SSSI and the Brora Geological Conservation Review site…"

Issue 19	**Dornoch**	
Development plan reference:	Dornoch pages 79 - 84	**Reporter:** Chris Norman

Body or person(s) submitting a representation raising the issue (including reference number):

Alexander Thomson (978228)
ANM Group Ltd (979952)
Royal Dornoch Golf Club (978818)
SNH (909933)

Provision of the development plan to which the issue relates:	Dornoch site allocations

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

DN01 Meadows Bank Road

SNH (909933) - Although the main text for Dornoch recognises the need to avoid an adverse effect on the integrity of the Dornoch Firth & Morrich More SAC and the Dornoch Firth & Loch Fleet SPA, for clarity, the developer requirements should also specify what is required. Therefore the following text should be added to the developer requirements:

"Development proposals will require to identify what measures will be put in place to ensure that there would be no adverse effect on the integrity of the Dornoch Firth & Morrich More SAC and the Dornoch Firth & Loch Fleet SPA through increased disturbance of species and habitat damage caused by increased recreational use of the area by residents of the new housing."

Alexander Thomson (978228) - Notes the developer requirements set out for this site if a new planning application is submitted. The representee has a problem with disposal of surface water from their garden and the developer of the site has had to do drainage work in some of the gardens of people already living on houses built on the site. Representee is not against new development on the site, but thinks is it important that all future planning applications on the site are properly scrutinised for water drainage and flood problems so that new development does not impact on properties already constructed on the site.

Royal Dornoch Golf Club (978818) - Would like to see the site boundary extended west into land owned by Dornoch Golf Club for three reasons: it could help with the diversification of the golf club's income should there be a downturn in the golf business; It would allow for other developers to work in the area; and it would give greater choice to those who wish to buy or build properties in Dornoch.

DN02 Bishopsfield

SNH (909933) - Although the main text for Dornoch recognises the need to avoid an adverse effect on the integrity of the Dornoch Firth & Morrich More SAC and the Dornoch Firth & Loch Fleet SPA, for clarity, the developer requirements should also specify what is

required. Therefore the following text should be added the developer requirements:

“Development proposals will require to identify what measures will be put in place to ensure that there would be no adverse effect on the integrity of the Dornoch Firth & Morrich More SAC and the Dornoch Firth & Loch Fleet SPA through increased disturbance of species and habitat damage caused by increased recreational use of the area by residents of the new housing.”

DN03 Dornoch South Abattoir Site

SNH (909933) - Although the main text for Dornoch recognises the need to avoid an adverse effect on the integrity of the Dornoch Firth & Morrich More SAC and the Dornoch Firth & Loch Fleet SPA, for clarity, the developer requirements should also specify what is required. Therefore the following text should be added the developer requirements:

“Development proposals will require to identify what measures will be put in place to ensure that there would be no adverse effect on the integrity of the Dornoch Firth & Morrich More SAC and the Dornoch Firth & Loch Fleet SPA through increased disturbance of species and habitat damage caused by increased recreational use of the area by residents of the new housing.”

ANM Group Ltd (979952) - Welcomes the allocation of the site for mixed use development. This site is the key brownfield site in Dornoch. The site has lain derelict since 2010 when it’s use as an abattoir site ceased. The buildings were demolished in 2015. Both Highlands and Islands Enterprise and the site owners, ANM Group Ltd, are committed to this site being redeveloped into new uses for the benefit of Dornoch and the local economy. One key output to date has been the production of a Masterplan for Dornoch South by Halliday Fraser Munro on behalf of ANM Group Ltd and Highlands and Islands Enterprise in January 2015. The Masterplan process confirmed the site’s development potential, and the community and business support for a mix of uses, including: Business; Leisure; Commercial; Community, and Residential development. It has been demonstrated through the Masterplan process that a golf-based leisure use would be a good fit in the southern part of the site. This use has synergies with the surrounding land owned by Royal Dornoch Golf Club and overcomes any potential flood related development constraints. A Proposal of Application Notice was also submitted to the Highland Council in February 2016 for the southernmost area of the site for leisure uses (principally golf-related), a shop and café. A Public Consultation Event was undertaken in March 2016. A planning application for student accommodation is currently under consideration by the Highland Council (Reference: 16/00887/FUL), a Use that is acknowledged in the proposed allocation (student accommodation, Business, Community, Open space, Recreation). Would like “leisure” added to the mix of uses to provide certainty in the Development Management process following on from the allocation of the site in line with the Masterplan findings and latest planning application proposals.

DN04 Dornoch North

SNH (909933) - Although the main text for Dornoch recognises the need to avoid an adverse effect on the integrity of the Dornoch Firth & Morrich More SAC and the Dornoch Firth & Loch Fleet SPA, for clarity, the developer requirements should also specify what is required. Therefore the following text should be added to the developer requirements:

“Development proposals will require to identify what measures will be put in place to

ensure that there would be no adverse effect on the integrity of the Dornoch Firth & Morrich More SAC and the Dornoch Firth & Loch Fleet SPA through increased disturbance of species and habitat damage caused by increased recreational use of the area by residents of the new housing."

Modifications sought by those submitting representations:

DN01 Meadows Bank Road

SNH (909933) - Add the following additional developer requirement, "Development proposals will require to identify what measures will be put in place to ensure that there would be no adverse effect on the integrity of the Dornoch Firth & Morrich More SAC and the Dornoch Firth & Loch Fleet SPA through increased disturbance of species and habitat damage caused by increased recreational use of the area by residents of the new housing."

Alexander Thomson (978228) - Inclusion of a drainage impact assessment to the developer requirements.

Royal Dornoch Golf Club (978818) - Extend allocation westwards.

DN02 Bishopsfield

SNH (909933) - Add the following additional developer requirement:

"Development proposals will require to identify what measures will be put in place to ensure that there would be no adverse effect on the integrity of the Dornoch Firth & Morrich More SAC and the Dornoch Firth & Loch Fleet SPA through increased disturbance of species and habitat damage caused by increased recreational use of the area by residents of the new housing."

DN03 Dornoch South Abattoir Site

SNH (909933) - Add the following additional developer requirement:

"Development proposals will require to identify what measures will be put in place to ensure that there would be no adverse effect on the integrity of the Dornoch Firth & Morrich More SAC and the Dornoch Firth & Loch Fleet SPA through increased disturbance of species and habitat damage caused by increased recreational use of the area by residents of the new housing."

ANM Group Ltd (979952) - Include "leisure" as a use.

DN04 Dornoch North

SNH (909933) - Add the following additional developer requirement:

"Development proposals will require to identify what measures will be put in place to ensure that there would be no adverse effect on the integrity of the Dornoch Firth & Morrich More SAC and the Dornoch Firth & Loch Fleet SPA through increased disturbance of species and habitat damage caused by increased recreational use of the area by residents of the new housing."

Summary of responses (including reasons) by planning authority:

There were no representations received on the following sites: DN05; DN06; DN07.

DN01 Meadows Bank Road

SNH has suggested revising the mitigation in the Appropriate Assessment to read:

"Development proposals will require to identify what measures will be put in place to ensure that there would be no adverse effect on the integrity of the Dornoch Firth & Morrich More SAC and the Dornoch Firth & Loch Fleet SPA through increased disturbance of species and habitat damage caused by increased recreational use of the area by residents of the new housing," and subsequently add it to the developer requirement for sites DN01, DN02, DN03 and DN04. As the HRA requires to be signed off by SNH for the plan to be adopted, the Council is content for this developer requirement to be added to this site.

It is noted that the objection is not to the current development but is for any future planning applications that may be lodged for the site. Policy 66 in the Highland-wide Local Development Plan (HwLDP) (CD18) deals with Surface Water Drainage and states that all proposed development must be drained by Sustainable Drainage Systems (SuDS) and if there are any new planning applications for this site they would be assessed against this policy. There is also a relevant developer requirement for any new planning applications. There is adopted Supplementary Guidance on Flood Risk and Drainage Impact Assessment (CD13) and one of the aims of this is to improve the design and implementation of developments and their related drainage arrangements. The site is in the process of being built out by a developer.

The suggestion to extend the boundary of this site westwards to incorporate land in the ownership of Royal Dornoch Golf Club is not supported by the Council. The Council has a responsibility to ensure that sites are effective for development. There are already three sites in Dornoch (DN01, DN02, DN04) allocated for housing or with housing as an element of a mixed use allocation, with a combined indicative capacity of 310 houses. There are masterplans in place for DN02 and DN04. Therefore, the Council feels that is sufficient land allocated for housing to offer choice and to meet demand. Some land to the west of site DN01 was suggested by a different party during the call for sites; it was shown as non-preferred in the Main Issues Report (CD04) (site ID DN09) and has not been included in the Plan. It may be noted that it also lies partly within the Dornoch Firth NSA. No modification is proposed by the Council.

DN02 Bishopsfield

SNH has suggested revising the mitigation in the Appropriate Assessment to read:

"Development proposals will require to identify what measures will be put in place to ensure that there would be no adverse effect on the integrity of the Dornoch Firth & Morrich More SAC and the Dornoch Firth & Loch Fleet SPA through increased disturbance of species and habitat damage caused by increased recreational use of the area by residents of the new housing," and subsequently add it to the developer requirement for sites DN01, DN02, DN03 and DN04. As the HRA requires to be signed off by SNH for the plan to be adopted, the Council is content for this developer requirement to be added to this site.

DN03 Dornoch South Abattoir Site

SNH has suggested revising the mitigation in the Appropriate Assessment to read:

"Development proposals will require to identify what measures will be put in place to ensure that there would be no adverse effect on the integrity of the Dornoch Firth & Morrich More SAC and the Dornoch Firth & Loch Fleet SPA through increased disturbance of species and habitat damage caused by increased recreational use of the area by residents of the new housing," and subsequently add it to the developer requirement for sites DN01, DN02, DN03 and DN04. As the HRA requires to be signed off by SNH for the plan to be adopted, the Council is content for this developer requirement to be added to this site.

The mixed use allocation for this site covers the uses of student accommodation, business, community, open space and recreation. In the developer requirements, the Council is very clear that the site is at flood risk which will limit the extent and type of development suitable for the site. It is stated that greenfield areas of the site are only suitable for types of recreation uses which are less vulnerable to flood risk, such as a golf driving range or car park. Therefore, the Council feels that this already provides sufficient certainty for the development management process. However, if the Reporter is so minded, the Council is content for "leisure" to be added to the range of uses and under bullet point 2 in the developer requirements, for "and leisure" to be added after "only suitable for types of recreation…". It may be noted that a planning application (16/04758/FUL) was submitted for this site seeking consent for golf driving range, general practice area, tennis court, golf pro shop, public toilets, car parking and coach parking. This was granted planning permission on 28 February 2017. It may also be noted that the southern section of the application site includes land which is not part of DN03, and is land that is being used to accommodate the driving range.

DN04 Dornoch North

SNH has suggested revising the mitigation in the Appropriate Assessment to read:

"Development proposals will require to identify what measures will be put in place to ensure that there would be no adverse effect on the integrity of the Dornoch Firth & Morrich More SAC and the Dornoch Firth & Loch Fleet SPA through increased disturbance of species and habitat damage caused by increased recreational use of the area by residents of the new housing," and subsequently add it to the developer requirement for sites DN01, DN02, DN03 and DN04. As the HRA requires to be signed off by SNH for the plan to be adopted, the Council is content for this developer requirement to be added to this site.

Reporter's conclusions:

DN01 Meadows Bank Road

1. This 5.0 hectare site, referred to as Meadows Park Road on page 82 of the Plan, has an indicative housing capacity of 70 units and is partially developed pursuant to earlier planning permissions. The internationally designated Dornoch Firth and Morrich More Special Area of Conservation (SAC) and Dornoch Firth and Loch Fleet Special Protection Area and Ramsar designation (SPA) are both adjacent to the allocation. In addition, the boundary of the nationally designated Dornoch Firth National Scenic Area (NSA) is close

to the allocation's western boundary.

2. Paragraph 148 of the Plan acknowledges the importance of the SAC and SPA and this is reflected in the Plan's Placemaking Priorities for Dornoch. Specifically, the Plan's sixth Placemaking Priority requires the avoidance of any adverse effect on the SAC and SPA, individually or collectively, including through recreational disturbance and damage. The seventh Placemaking Priority requires, where appropriate, development proposals to be accompanied by a recreational management plan. The eighth Placemaking Priority requires development proposals to demonstrate that there would be no adverse effect on the integrity of the SAC and SPA by the satisfactory submission of a Construction Environmental Management Plan.

3. Scottish Natural Heritage (SNH) requests that the Developer Requirements for DN01 should, for clarity, be augmented by a further requirement in relation to the SAC and SPA. Specifically, this further Developer Requirement would call for the developer to identify measures that ensure that there would be no adverse effect on the integrity of the SAC and SPA due to increased recreational use of the area by residents of the new housing. The planning authority accepts this change. In view of the international importance of the adjacent SAC and SPA, to ensure that these designations are appropriately recognised in, and protected by, the Developer Requirements, and to properly align the Developer Requirements with the Placemaking Priorities, I propose to change the Plan along the lines requested. This change will require to be reflected in a consequential amendment to the Habitats Regulations Assessment (HRA).

4. Alexander Thomson, who is not opposed to the allocation, points to problems with surface water that gathers in his garden at 4 Munro Street, which is within the completed part of the allocation. The representor seeks assurances that such incidents would not be exacerbated by any further new development. I agree with the planning authority that these comments on flooding relate to future planning applications that may be lodged for the site. Highland-wide Local Development Plan (HwLDP) Policy 66, in addressing surface water drainage, states that all proposed development must be drained by sustainable drainage systems (SuDS). Additionally, future applications would be assessed against the planning authority's adopted supplementary guidance on flood risk and drainage impact assessment. I also note that the Developer Requirements for the site require a flood risk assessment to be submitted. As any new planning applications for this site would be assessed against HwLDP Policy 66 and its related guidance, and as a flood risk assessment is already required for this allocation, I see no need to modify the Plan to cover the concern expressed in this representation.

5. Royal Dornoch Golf Club proposes that allocation DN01 be extended an unspecified distance further west into land that it owns. It indicates that this would diversify its income in the event of any downturn in the golf business, would allow for other developers to work in the area, and would provide greater choice for house purchasers and builders.

6. The land to the west of the allocation is partly included in the Dornoch Firth NSA. I note from my site inspection that it comprises, in the main, expansive and unmaintained rough grassland interspersed with small watercourses, shrubs and trees. In line with the protection afforded by the NSA designation, I consider that its open, undeveloped appearance contributes to the attractive rural setting of Dornoch, especially when viewed from the west.

7. The planning authority points out that the existing allocations in Dornoch have a

combined indicative capacity of 310 houses, which it believes is sufficient to offer choice and to meet demand. I consider that the combined number of allocated housing units in Dornoch is substantial. In particular, the first phase of development of 25 units has only recently commenced within the 200 unit DN04 allocation. There was not, at the time of my inspection, any commencement of development at the 40 unit allocation at DN02. I also note that the proposed modification to the boundary of DN01 has not been supported by any evidence suggesting that there is a shortfall of housing land in Dornoch.

8. Given that I believe that there is sufficient land allocated for housing in Dornoch, and that the undeveloped land west of DN01, which lies partly in the NSA, contributes to the open setting of the village when viewed from the west, I agree with the planning authority that it would be inappropriate to modify the Plan by extending DN01 further westwards.

DN02 Bishopsfield

9. This 3.6 hectare site has an indicative housing capacity of 40 units. The Dornoch Firth and Morrich More Special Area of Conservation (SAC) and Dornoch Firth and Loch Fleet Special Protection Area and Ramsar designation (SPA) are both adjacent to the allocation.

10. Paragraph 148 of the Plan acknowledges the importance of the SAC and this is reflected in the Plan's Placemaking Priorities for Dornoch. Specifically, the Plan's sixth Placemaking Priority requires the avoidance of any adverse effect on the SAC and SPA, individually or collectively, including through recreational disturbance and damage. The seventh Placemaking Priority requires, where appropriate, development proposals to be accompanied by a recreational management plan. The eighth Placemaking Priority requires development proposals to demonstrate that there would be no adverse effect on the integrity of these designated sites by the satisfactory submission of a Construction Environmental Management Plan.

11. Scottish Natural Heritage (SNH) requests that the Developer Requirements for DN02 should, for clarity, be augmented by a further requirement in relation to the SAC and SPA. Specifically, this further Developer Requirement would call for the developer to identify measures that ensure that there would be no adverse effect on the integrity of the SAC and SPA due to increased recreational use of the area by residents of the new housing. The planning authority accepts this change. In view of the international importance of the adjacent SAC and SPA, to ensure that these designations are appropriately recognised in, and protected by, the Developer Requirements, and to properly align the Developer Requirements with the Placemaking Priorities, I propose to change the Plan along the lines requested. This change will require to be reflected in a consequential amendment to the Habitats Regulations Assessment (HRA).

DN03 Dornoch South Abattoir Site

12. This 4.1 hectare allocation is for a mixed use development that includes student accommodation, business, community, open space and recreation uses. The Dornoch Firth and Morrich More Special Area of Conservation (SAC) and Dornoch Firth and Loch Fleet Special Protection Area and Ramsar designation (SPA) are both adjacent to the allocation.

13. Paragraph 148 of the Plan acknowledges SAC and SPA and this is recognised in the Plan's Placemaking Priorities for Dornoch. Specifically, the Plan's sixth Placemaking Priority requires the avoidance of any adverse effect on the SAC and SPA, individually or

collectively, including through recreational disturbance and damage. The seventh Placemaking Priority requires, where appropriate, development proposals to be accompanied by a recreational management plan. The eighth Placemaking Priority requires development proposals to demonstrate that there would be no adverse effect on the integrity of the SAC and SPA by the satisfactory submission of a Construction Environmental Management Plan.

14. Scottish Natural Heritage (SNH) requests that the Developer Requirements for DN03 should, for clarity, be augmented by a further requirement in relation to the SAC and SPA. Specifically, this further Developer Requirement would call for the developer to identify measures that ensure that there would be no adverse effect on the integrity of the SAC and SPA due to increased recreational use of the area by residents of the new housing. The planning authority accepts this change. In view of the international importance of the adjacent SAC and SPA, to ensure that these designations are appropriately recognised in, and protected by, the Developer Requirements, and to properly align the Developer Requirements with the Placemaking Priorities, I propose to change the Plan along the lines requested. This change will require to be reflected in a consequential amendment to the Habitats Regulations Assessment (HRA).

15. In its representation ANM Group Ltd, the owner of the allocation, indicates that the site is the key brownfield development site in Dornoch. Its former use as an abattoir ceased in 2010 and dilapidated buildings on the site have been recently demolished. Its owner now requests that the range of uses allowed on site be expanded to include leisure, on the basis that the masterplan has identified a golf based leisure use as being suitable. The extent and type of development possible on site is clearly limited by flood risk, which the Developer Requirements indicate restricts the range of recreational uses to those less vulnerable to flooding, such as a golf driving range or car park. The planning authority is content with the change, even though it considers it unnecessary. Taking this into account, along with the flooding issues on site, the fact that planning permission was granted here in 2017 for the development of (mainly) golf-related leisure uses, and the importance of regenerating this central part of town, I consider that it would be reasonable to add leisure to the range of uses allowed on the allocation, in the manner proposed by the planning authority.

<u>DN04 Dornoch North</u>

16. A phased approach to the development of this 19.7 hectare site, comprising the construction of 25 units, has recently commenced. The site has an indicative housing capacity of 200 units. The Dornoch Firth and Morrich More Special Area of Conservation (SAC) and Dornoch Firth and Loch Fleet Special Protection Area and Ramsar designation (SPA) are both adjacent to the allocation.

17. Paragraph 148 of the Plan acknowledges the importance of the SAC and SPA and this is reflected in the Plan's Placemaking Priorities for Dornoch. Specifically, the Plan's sixth Placemaking Priority requires the avoidance of any adverse effect on the SAC and SPA, individually or collectively, including through recreational disturbance and damage. The seventh Placemaking Priority requires, where appropriate, development proposals to be accompanied by a recreational management plan. The eighth Placemaking Priority requires development proposals to demonstrate that there would be no adverse effect on the integrity of these designated sites by the satisfactory submission of a Construction Environmental Management Plan (including pollution prevention).

18. Scottish Natural Heritage (SNH) requests that the Developer Requirements for DN04 should, for clarity, be augmented by a further requirement in relation to the SAC and SPA. Specifically, this further Developer Requirement would call for the developer to identify measures that ensure that there would be no adverse effect on the integrity of the SAC and SPA due to increased recreational use of the area by residents of the new housing. The planning authority accepts this change. In view of the international importance of the adjacent SAC and SPA, to ensure that these designations are appropriately recognised in, and protected by, the Developer Requirements, and to properly align the Developer Requirements with the Placemaking Priorities, I propose to change the Plan along the lines requested. This change will require to be reflected in a consequential amendment to the Habitats Regulations Assessment (HRA).

Reporter's recommendations:

I recommend that the following modifications be made:

<u>DN01 Meadows Park Road</u>

1. Under the Dornoch section of the Sutherland Settlements, page 82, add the following new clause to the Developer Requirements for DN01 to read:

"…Development proposals will require to identify what measures will be put in place to ensure that there would be no adverse effect on the integrity of the Dornoch Firth & Morrich More SAC and the Dornoch Firth & Loch Fleet SPA through increased disturbance of species and habitat damage caused by increased recreational use of the area by residents of the new housing."

<u>DN02 Bishopsfield</u>

2. Under the Dornoch section of the Sutherland Settlements, page 82, add the following new clause to the Developer Requirements for DN02 to read:

"…Development proposals will require to identify what measures will be put in place to ensure that there would be no adverse effect on the integrity of the Dornoch Firth & Morrich More SAC and the Dornoch Firth & Loch Fleet SPA through increased disturbance of species and habitat damage caused by increased recreational use of the area by residents of the new housing."

<u>DN03 Dornoch South Abattoir Site</u>

3. Under the Dornoch section of the Sutherland Settlements, page 82, add the following new clause to the Developer Requirements for DN03 to read:

"…Development proposals will require to identify what measures will be put in place to ensure that there would be no adverse effect on the integrity of the Dornoch Firth & Morrich More SAC and the Dornoch Firth & Loch Fleet SPA through increased disturbance of species and habitat damage caused by increased recreational use of the area by residents of the new housing."

4. Under the Dornoch section of the Sutherland Settlements, page 82, adjust the range of Uses to be allowed on DN03 by adding Leisure.

5. Under the Dornoch section of the Sutherland Settlements, pages 82 and 83, adjust point 2 of the 8th clause of the Developer Requirements for DN03, to read:

"…Greenfield areas of the site are only suitable for types of recreation and leisure uses which are less vulnerable to flood risk…"

DN04 Dornoch North

6. Under the Dornoch section of the Sutherland Settlements, page 83, add the following new clause to the Developer Requirements for DN04 to read:

"…Development proposals will require to identify what measures will be put in place to ensure that there would be no adverse effect on the integrity of the Dornoch Firth & Morrich More SAC and the Dornoch Firth & Loch Fleet SPA through increased disturbance of species and habitat damage caused by increased recreational use of the area by residents of the new housing."

Issue 20	**Edderton**	
Development plan reference:	Edderton pages 85 - 88	**Reporter:** Chris Norman

Body or person(s) submitting a representation raising the issue (including reference number):

Balnagown Castle Properties (968666)
Edderton Community Council (979848)
Historic Environment Scotland (964857)

Provision of the development plan to which the issue relates:	Edderton general text and site allocations

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

Edderton General

Balnagown Castle Properties (968666) - Supports the continued identification of Edderton as a settlement and is encouraged to see the continuation of housing proposals. If there is any change proposed to this through the Examination process, would like to be involved in the discussion.

Edderton Community Council (979848) - The Community Council supports the Plan for Edderton. However would like to see the village boundary amended to include the area to south enclosed by the 30mph speed limit and the street lighting. This would include the Primary School and the sports area across the road, the development at Balleigh Wood and 10 other houses.

ET01 North-East of Haven

Historic Environment Scotland (964857) - Supports the developer requirement for sensitive design in response to the scheduled monument Carriblair stone circle & cist (Index No. 2971), particularly in relation to access requirements for the site.

ET02 West of Station Road

Historic Environment Scotland (964857) - Supports the developer requirement for the retention of the line of site from the scheduled monuments Carriblair stone circle & cist (Index No. 2971) and the scheduled monument Clach Chairidh, symbol stone (Index No. 1673) to the hills to the west and south west.

Modifications sought by those submitting representations:

Edderton General

Edderton Community Council (979848) - Amend SDA boundary to include the area to the south enclosed by the 30mph speed limit and the street lighting, including the Primary

School and the sports area across the road, the development at Balleigh Wood and 10 other houses.

Summary of responses (including reasons) by planning authority:

Edderton General

The support for the Plan, including from Edderton Community Council, is noted.

Settlement Development Areas (SDAs) are the preferred areas for most types of development as it makes best use of existing infrastructure and services and protects the character of the surrounding countryside. This is supported by Policy 34 in the Highland-wide Local Development Plan (HwLDP) (CD18). The SDA is not intended to identify where the perceived extent of a settlement or community is in the widest terms, its purpose is to help make assessments of proposed developments. The suggested extension of the SDA for Edderton is to the south of the SDA in the Plan. It is acknowledged that there is street lighting and a pavement as far as the Primary School but the road is single track with passing places and therefore it is not the best place for additional housing. It would also greatly increase the extent of the SDA boundary and would in essence mean that a lot of what is currently surrounding countryside would have the principle of development established where included within such an extension. Edderton sits within the Tain Hinterland. This hinterland has been identified as where pressure for commuter based housing development is greatest. Through Policy 35 of the HwLDP (CD18), the Council presumes against housing in the open countryside in the hinterland subject to certain exceptions. If the SDA for Edderton was to be extended, it would support housing in areas which are currently countryside in the hinterland area. The Council does not support extending the SDA boundary and therefore no modification is proposed.

ET01 North-East of Haven

The support from Historic Environment Scotland for the developer requirement for sensitive design in response to scheduled monument is noted.

ET02 West of Station Road

The support from Historic Environment Scotland for the developer requirement for the retention of the site line is noted.

Reporter's conclusions:

Edderton General

1. The support for the Plan generally, and in particular the continuing allocation of housing proposals in the village, is noted.

2. The Settlement Development Area (SDA) for Edderton is drawn tightly around the core of the main village and I note that its boundary excludes the cluster of houses at Balleigh and Edderton Primary School that are linked to the main part of the village by a narrow, unclassified road with street-lighting. There are no allocations in the Plan around Balleigh. Placemaking Priorities for Edderton include the consolidation of the village based upon housing land allocations and the safeguarding of natural assets in and around the settlement. The SDA boundary excludes the undeveloped central area of the village which

comprises small-holdings and which forms an important and intrinsic part of the village's attractive character and setting. Also excluded from the SDA is land comprising the sports area south of the crossroads and adjacent to the village war memorial.

3. I agree with the planning authority that, in accordance with Highland-wide Local Development Plan (HwLDP) Policy 34, the SDA is not intended to identify where the perceived extent of a settlement or community is, in the widest terms, and that the purpose of the SDA designation is as a tool to assist making assessments of development proposals. The undeveloped area of countryside around Edderton is within the Tain Hinterland and consequently is subject to the provisions of HwLDP Policy 35.

4. I consider that any extension of the SDA around Balleigh at this time may provide some justification for additional housing within land currently designated as Tain Hinterland contrary to HwLDP policy. I am also of the opinion that no useful planning purpose would be served by the inclusion, within an enlarged SDA, of either the small holdings in the central area of the village or land around the sports area and war memorial. Any enlarged SDA designation could encourage development proposals that may have an adverse effect on the village's attractive character and setting. Only in the longer term, when the 2 existing planning permissions within the existing SDA are fully implemented, should some further growth be considered outwith the village's currently designated settlement boundary.

5. Overall, I agree with the planning authority in not supporting the extension of the SDA boundary and I do not consider it appropriate to modify the Plan.

ET01 North-East of Haven

6. The Developer Requirement for this allocation recognises the need for sensitive siting and access, taking into account the scheduled Carriblair ancient monument in the northwest part of the site. This provision is supported by Historic Environment Scotland and no modification to the Plan is required.

ET02 West of Station Road

7. The Developer Requirement for this allocation requires there to be a buffer of open space around the Clach Chairidh symbol stone. Additionally, there should be no encroachment from new development within the lines of sight from the symbol stone to the scheduled Carriblair stone circle, and from both scheduled monuments to the hills to the west and south-west. This provision is supported by Historic Environment Scotland, and no modification to the Plan is required.

Reporter's recommendations:

No modifications.

Issue 21	**Golspie**	
Development plan reference:	Golspie pages 89 - 92	**Reporter:** Chris Norman
Body or person(s) submitting a representation raising the issue (including reference number):		
Adam Sutherland (977580) Tulloch Homes Ltd (979063)		
Provision of the development plan to which the issue relates:	Golspie settlement text and site allocation GP02	
Planning authority's summary of the representation(s):		

Golspie General

Adam Sutherland (977580) - Objects to there only being two sites allocated for housing in Golspie – Sibell Road (GP02) and Mackay House Hostel Site (GP04). Of these two sites one requires costly drainage infrastructure and the other has an owner who has little interest in selling the land. This limits the amount of choice in Golspie and restricts Golspie's potential to grow. There are only a few vacant plots available at Drummuie (GP03). Would like to see at least one other site allocated for housing to broaden the scope for developers and add choice. The current allocations for housing have been there since the last local plan so it is unlikely that they will ever be developed.

GP02 Sibell Way

Tulloch Homes Ltd (979063) - Generally supports the allocation. Tulloch Homes Ltd as owners of the site confirm their intention to progress development. The economic downturn of 2008 onwards affected the progress of many Highland development opportunities in the smaller towns and villages however as market conditions continue to prove more favourable it is important that opportunities exist to provide both private and affordable housing. However the indicative housing capacity and the developer requirement relating to the retention of existing trees, should not be overly prescriptive as the quality and suitability of the design solution for the site is a more appropriate determining factor.

Modifications sought by those submitting representations:

Golspie General

Adam Sutherland (977580) - Include more housing allocations (no particular sites suggested).

Golspie GP02 Sibell Way

Tulloch Homes Ltd (979063) - Make the indicative housing capacity and the developer

requirement relating to the retention of existing trees, more flexible.

Summary of responses (including reasons) by planning authority:

Golspie General

The representee objects to there only being two sites allocated for housing – namely GP02 Sibell Road and GP04 Mackay House Hostel Site. There are in fact two other sites allocated for housing – GP01 Woodland Way and GP03 Drummuie. The indicative housing capacity for these four sites is 79. The number of houses built in the East Sutherland and Edderton Ward (which includes Golspie and also Helmsdale, Brora, Dornoch and Edderton) between 2000 and 2012 was 363. The amount of land allocated for housing is based on the Council's Housing Need and Demand Assessment (CD10); therefore the Council feels that the amount of land allocated for housing is sufficient. The owner of site GP02 has confirmed their intention to progress with development of the site. At the Main Issues Report (CD04) stage there were three non-preferred sites for housing identified. No comments were received for these sites and they were not taken forward in the Plan. No modification is proposed by the Council.

GP02 Sibell Way

The support of the site owner is noted and the Council welcomes their statement that they intend to progress with development of the site. Indicative site capacities are given for each allocated site and are based on the need to promote efficient use of land. It is expected that planning applications will be generally consistent with the indicative capacity. It is however recognised that a different capacity than that specified may be acceptable subject to detailed design that demonstrates efficient use of land and satisfactory site layout. This is set out in the supporting text to Policy 2 Delivering Development and therefore it is not felt that any change needs to be made to the indicative capacity for this site. The site is adjacent to semi natural woodland and there are trees at the northern end of the site. Whilst doing the Strategic Environmental Assessment (CD07) of the site it was felt that removal of trees on site could have an adverse impact habitat connectivity and wildlife corridors therefore it would be preferable to retain some of the existing trees on site and extend the tree belt eastwards with new planting of appropriate species which would provide a wildlife corridor. The developer requirements regarding trees are based on this assessment and discussions with SNH and are not considered to be overly prescriptive. No modification is proposed by the Council.

Reporter's conclusions:

General Text

1. Mr Sutherland is concerned that there is an inadequate choice of allocated residential land in Golspie, and that existing sites are constrained by high infrastructure costs or an unwillingness on the owner's part to commence development. He believes that the provision of more residential land would enable the village to grow and provide more choice for prospective developers.

2. However, I note that there has been a misunderstanding in the representation. The Plan allocates residential development on four sites in Golspie, not just the 2 sites referred to in the representation. In addition to the allocations at GP02: Sibell Road (34 units) and GP04: Mackay House Hostel Site (2 units), which have a combined indicative housing

capacity of 36 units, the Plan allocates the wholly residential site at GP01: Woodland Way (9 units) and the mixed use allocation GP03: Drummuie (34 units). Together these 2 other allocations have a combined indicative housing capacity of 43 units. Overall, there is therefore an indicative housing capacity of 79 units in Golspie.

3. Taking account of the total indicative capacity of the 4 sites, I agree with the planning authority that sufficient land for housing has been allocated in Golspie. Specifically, in the absence of significant housing completions at these sites, I see no justification for further residential allocations to be made in Golspie at this time. Moreover, no other potential residential sites at Golspie have come forward for consideration at this examination. Accordingly, I do not believe that the Plan should, or can be, changed on the basis of this representation.

GP02 Sibell Road.

4. The developer, who is the landowner, seeks flexibility in the indicative capacity of the site. I note the planning authority's comment that it is expected that planning applications will be generally consistent with the indicative housing capacity figure given in the Plan. However, the supporting text in the Plan for Policy 2: Delivering Development recognises that a different capacity than that specified in the Plan may be acceptable, subject to detailed design considerations that demonstrate the efficient use of land and a satisfactory site layout. I therefore consider that the Plan already contains sufficient flexibility in relation to site capacities, and I do not consider that any change to the Plan is necessary.

5. The Settlement Map for Golspie includes an annotation, along the allocation's northern boundary, for the expansion of the Green Network. This corresponds to the Developer Requirement for an investigation of the potential for tree retention on the site, or subsequent replanting if existing trees are removed to facilitate development.

6. On my site inspection I observed the condition and extent of the trees along the northern boundary of the site. I consider that they are an important landscape feature locally, and they may also possess nature conservation interest. In this regard, despite the comments of the developer, I agree with the planning authority about the importance of the retention of these trees along this northern boundary, with replacement planting where necessary, and I consider this to be an appropriate Developer Requirement.

7. The wording of the Developer Requirement does allow flexibility in the detailed design of the site's future development and, contrary to the views of the developer, I do not consider it to be overly prescriptive. Similarly, the Developer Requirement safeguards the Plan's proposed establishment of part of the Green Network here. Accordingly, I do not propose to modify the Plan.

Reporter's recommendations:

No modifications.

Issue 22	**Helmsdale**	
Development plan reference:	Helmsdale pages 93 - 96	**Reporter:** Chris Norman

Body or person(s) submitting a representation raising the issue (including reference number):

Crofting Commission (955042)
John Murray (906905)
Kathy Mitchinson (931273)
SEPA (906306)
Shona Blance (951829)

Provision of the development plan to which the issue relates:	Helmsdale site allocations

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

HD02 North of Rockview Place

John Murray (906905) - Site should be expanded to include land between the eastern portion of site and A9, as land now not large enough for viable croft. Portion of HD02 built out or with extant planning permission.

HD03 Simpson Crescent

Kathy Mitchinson (931273) - Objects to inclusion in the plan due to recreational amenity, hazardous access, visibility from tourist route, distance to village centre, and a lack of safe active travel links to the primary school. Suggests land west and adjacent to primary school should be explored and that brownfield sites within the village should be used for future housing. Recommends allocating site as Greenspace.

Crofting Commission (955042) - Site may include some croft land.

HD04 Shore Street

SEPA (906306) - Recognises that site is partially located in a harbour. Recommends text be amended to allow for harbour related uses in the floodplain area.

HD05 East of Industrial Estate

Kathy Mitchinson (931273) - Objects to inclusion in plan unless requirements to screen off entire industrial estate due to visibility from tourist route.

Shona Blance (951829) - Owner and tenant of field that is eastern part of the site. Objects to inclusion in plan due to concerns about safety of access through housing sites. Would prefer eastern part of site be allocated for business or housing use.

Modifications sought by those submitting representations:

HD02 North of Rockview Place

John Murray (906905) - Extend allocation north to A9 adjacent to HD05.

HD03 Simpson Crescent

Kathy Mitchinson (931273) - Remove the site allocation from the Plan.

HD04 Shore Street

SEPA (906306) - Include text to clarify that harbour related uses could be compatible in areas shown to be at risk of flooding.

HD05 East of Industrial Estate

Kathy Mitchinson (931273) - Remove the site allocation from the Plan or screen off entire industrial estate from A9 tourist route.

Shona Blance (951829) - Allocate eastern part of site for business or housing use.

Summary of responses (including reasons) by planning authority:

HD02 North of Rockview Place

The Council do not support the suggestion to extend the site north. Whilst it is noted that the site has built and consented development on it, there remains sufficient housing land for the settlement on allocated sites (HD01, HD02 and HD03). Moreover extending the site in this direction could add additional constraint to development of the industrial allocation at HD05. It is important to ensure that the industrial allocation is not stymied by neighbouring development by becoming surrounded with housing, particularly in light of there being limited industrial land available. No modification is proposed by the Council.

HD03 Simpson Crescent

Concerns about landscape and visual impacts and limited safe active travel links to the Primary School are noted. However, the Developer Requirements set out specific considerations for layout and landscaping treatments that are sensitive to the setting and residential amenity. Developer Requirements also set out expectations for enhanced connectivity of the site including a new footpath along roadside boundaries. No modification is proposed by the Council.

Crofting Commission comments that part of site may contain croft land are noted. However, part of the site is already allocated for housing in the current adopted Sutherland Local Plan. Therefore the Council feels the site allocation should remain unchanged. No modification is proposed by the Council.

HD04 Shore Street - If the Reporter is so minded, the Council is agreeable to modification of the Developer Requirements as follows (additional text italicised): “Flood Risk Assessment (*only harbour-related uses permissible* in areas shown to be at risk of flooding)”.

HD05 East of Industrial Estate

This site is currently allocated in the adopted Sutherland Local Plan, June 2010 (CD16) for industrial use. It should continue to be allocated for this purpose to ensure an effective supply in the settlement. Efforts to identify other suitable sites for industrial land were made but a range of constraining factors (e.g. flood risk, incompatible neighbouring land uses, access constraints) meant HD05 remained the favoured site.

The site relates well to the existing neighbouring industrial land uses. It is considered that allocating the eastern portion of the site for housing would not be compatible with the industrial allocation. The southern boundary of the site is already adjacent to a housing allocation and to add further housing along the eastern boundary could add additional constraint to future development. It is important to ensure that the industrial allocation is not stymied by neighbouring development by surrounding the industrial allocation with housing, particularly given the limited amount of industrial land available. Within the site's use as 'Industry', Class 4 Business uses (including office uses), could be permitted under The Town and Country Planning (Use Classes) (Scotland) Order 1997 (CD14).

Developer Requirements for the site set out that landscaping, and sensitive siting and design should ensure residential neighbours and the trunk road (tourist route) are given due regard. No modification is proposed by the Council.

Reporter's conclusions:

HD02 North of Rockview Place

1. This 1.4 hectare allocation has an indicative capacity of 20 houses and is subject to the partially implemented planning permission 12/00444/FUL. The site is allocated for 40 houses in the adopted Sutherland Local Plan (SLP) and there were some 5 detached and semi-detached houses occupied on the site at the time of my visit. In addition, I note that an access road to the site is partially constructed on land leading northwards from the public road in Rockview Place.

2. The representor argues that site HD02 should be 'squared off' by extending the residential allocation northwards to the A9. This unallocated area of land subject to the representation, north of HD02 and east of allocation HD05, comprises rough grassland with some limited tree cover on its northern fringe, adjacent to the A9. It is suggested that the land is redundant and not large enough to be viable as a croft, and that it should therefore be used for residential purposes. I do not however consider that it comprises unsightly and unmaintained land following my site inspection, but rather rough grassland that is a common feature around Helmsdale.

3. As shown in the Plan the unallocated area is not in the Settlement Development Area (SDA) for Helmsdale, which is drawn tightly around the eastern boundary of the adjoining industrial allocation HD05. As such it is outwith the preferred area for most types of development and is subject to the provisions of Policy 34 of the Highland-wide Local Development Plan (HwLDP).

4. In the Plan a placemaking priority for Helmsdale is the support for community driven development by providing well connected sites for housing and employment growth. It has not been argued that there is insufficient housing land in Helmsdale, and to the planning authority there is adequate land for future housing development at sites HD01,

HD02 and HD03. Neither has it been explained to me how any new residential allocation north of Rockview Place could be satisfactorily accessed.

5. In addition to the provision of housing land, I agree with the planning authority that it is important to maintain an effective supply of land for employment growth in Helmsdale, and I note that other possible sites for this use in the town are constrained by flooding, access and the nature of adjoining land uses. At this point in time, planning permission 12/00444/FUL, the associated recently constructed housing, and the housing allocations in the adopted local plan and this Plan could restrict the extent of the new Class 5 General Industrial use on the industrial allocation, particularly along its southern boundary. This is due to the sensitivity of housing and the possibility of an adverse impact on residential amenity from incompatible general industrial uses. By introducing additional houses adjacent to the eastern boundary of HD05 additional land for employment growth could be restricted, contrary to one of the Plan's Placemaking Priorities.

6. Accordingly I do not propose to modify the Plan by extending the existing housing allocation at Rockview Place northwards.

HD03 Simpson Crescent

7. This 1.3 hectare site has an indicative capacity of 15 houses. It may include some croft land although I do not consider that to be an impediment to its continued allocation in the Plan. This is due specifically to the earlier allocation of some 0.7 hectares of the site for 12 houses in the adopted Sutherland Local Plan (SLP). The Plan confirms that the site is located within the Helmsdale Settlement Development Area (SDA). In recognition of the site's local value and amenity the Plan acknowledges the presence of a core path that follows the site's seaward edge, and identifies the central area of the site for the expansion of the green network.

8. During my site inspection I observed the popularity of the site for informal outdoor recreation. The site affords commanding views, particularly from its seaward edge, over the harbour and beyond to the Moray Firth and I agree that it is important for the amenity it provides local residents. From sections of the northbound and southbound A9 there are more distant views of the site from where it can be seen against the backcloth of the existing settlement as a buffer between the built up area of Helmsdale and the undeveloped coast.

9. There is a network of local streets that lead to the site and, typical of any residential area, there is some on-street parking. Simpson Crescent lies on the eastern periphery of Helmsdale and there are only limited opportunities for small scale, new residential development in the central area, although the Plan does allocate the former St. John's Church for 5 houses. The local primary school, located in the western part of Helmsdale, is some 1000 metres from the site and land in its vicinity could potentially be a reasonable site for residential development.

10. In balancing the matters raised in the representation, and in particular the site's open, unbuilt character, I must also consider the adopted local plan's allocation for 12 houses on part of the site, and the Plan's Placemaking Priorities for Helmsdale. I acknowledge that there is only a limited range of other opportunities in the town centre that could be developed for residential purposes. However, I am particularly mindful that the planning authority considers that this site, in conjunction with allocations HD01 and HD02, provides sufficient land for residential purposes without the need for a further allocation west of the

primary school.

11. Whilst the site is accessed through an existing residential area, I do not consider the development of an additional 8 houses beyond the adopted local plan's allocation would be significantly to the detriment of road safety. Similarly, I do not consider the site's location on the eastern periphery of the town exacerbates any difficulties for school children when travelling to the primary school. There is already housing in the close vicinity of the site and no objection from the council as roads or education authority has been brought to my attention.

12. Nevertheless, during my inspection the attractive and undeveloped character of the site, and its importance to the coastal setting of Helmsdale, was self- evident. I do not consider however that an additional 8 houses built on the site, beyond the adopted local Plan's allocation, would have a significantly adverse impact on the attractiveness of Helmsdale from a tourism perspective. Importantly, the existing historic harbour area, the local arts centre in Shore Street and the built heritage of the town would be unaffected by the site's development.

13. Nevertheless, I note the identified green network expansion in the central part of the site and the core path on the site's southern boundary. In the Plan there are Developer Requirements that acknowledge the paths that traverse the site and that require the existing green network to be maintained. There is also a Developer Requirement to setback development from the seaward edge of the site. Taking account of the identification of the expanded green network and the proposed Developer Requirements, I consider there to be an opportunity to combine the expansion of the green network and the retention of the seaward edge of the site. I therefore propose to amend the Developer Requirements in the manner I set out below. However, I do not propose to remove the Simpson Crescent housing allocation from the Plan.

<u>HD04 Shore Street</u>

14. Shore Street is adjacent to the heart of the historic part of Helmsdale, adjoins the important Timespan Local Heritage Centre, and is adjacent to the River Helmsdale. The promotion of existing assets around the old harbour, by enhancing the setting and the environment here, is an important Placemaking Priority in the Plan. Indeed, I consider that this central site is in an important location in the town and its redevelopment for mixed business and community uses would accord with placemaking objectives of the Plan.

15. SEPA indicates that around half of the site is potentially at risk from flooding. The site is currently subject to a Developer Requirement requiring a flood risk assessment to inform the layout and design of any new development, and no development should take place in areas shown to be at risk of flooding. In light of the clear representation from SEPA, I agree that the relevant Developer Requirement should be amended.

16. The revised wording suggested by the planning authority varies from that proposed by SEPA. The planning authority's wording would allow only harbour related uses in that part of the site, which is potentially subject to flooding. SEPA's wording indicates that, in the event of an identified flood risk, only low vulnerability uses or operationally essential uses would be allowed, and there is a requirement for resilience measures. I believe that SEPA's wording is to be preferred because it coincides with the mitigation proposed in the Environmental Report, is clear on the nature of the restrictions affecting the development potential of the site, and properly reflects the terms of the flood risk framework set out in

SPP. I therefore propose to amend the Developer Requirement in the manner suggested by SEPA.

HD05 East of Industrial Estate

17. Two representations have been received which concern this allocation. The Plan sets out, as a Placemaking Priority for Helmsdale, its support for community driven development by offering a range of well connected sites for both housing and employment growth. This site, east of the existing industrial estate, is within the Settlement Development Area (SDA) and is allocated in the Sutherland Local Plan (SLP) for industrial use. From my inspection I would agree with the planning authority that there are only limited, if any, other opportunities for general industrial allocations of this size in the Helmsdale SDA, and no alternative sites have been brought to my attention.

18. Turning firstly to the ownership of the land, a representation advises that the owner and tenant of the eastern part of the site will not agree to its use for industrial purposes. It is also indicated that the council has not identified this land in Appendix 1, Schedule of Land Ownership, of the Plan, despite requests having been made to clarify the matter.

19. Where a local development plan contains policies, which affect land owned by the planning authority, section 15(3) of the 1997 Town and Country Planning (Scotland) Act requires the authority to advise of this fact, as enacted by Regulation 9 of the 2008 Town and Country Planning (Development Planning) (Scotland) Regulations. Appendix 1 of the Plan, at paragraph 183, confirms that the council owns land included in HD05, comprising land at the new fire station. However, I am satisfied that there is no legal requirement for the planning authority to advise in the Plan of the ownership of land that the council does not own. The ownership of land, although important in order to allow development to proceed, is a separate matter. In the circumstances, I do not believe that it is necessary for me to amend Appendix 1 of the Plan in the manner sought.

20. I am however mindful that the representation also sets out aspirations for the development of a business use on the land within HD05, and for further rural development related business opportunities. Such proposals, as they evolve, may well fall within Class 4 Business use as provided by the 1997 Town and Country Planning (Use Classes) (Scotland) Order (the 1997 Order).

21. As explained by the planning authority, such a proposal could be permitted within the industrial allocation. Specifically, the Glossary of the Plan sets out that within the site's allocation for industrial use there is a range of other uses that would be permitted within buildings or on this land. I am satisfied that by virtue of Part 3 of the schedule to the 1992 Town and Country Planning (General Permitted Development) (Scotland) Regulations, as amended, such uses that could be allowed within the allocated class 5 General Industrial use are class 4 Business uses and up to 235 square metres of class 6 Storage or Distribution uses within any building. Hence the industrial allocation may well allow the type of development described in the representation which could therefore be compliant with the Plan. Accordingly, I also do not consider there to be a need to amend the Plan to take into account the business aspirations set out in the representation.

22. In a second representation it is argued that, because of its proximity to the A9 and the North Coast 500 route, the allocation could have a detrimental impact on tourism. It is also argued that any development on site should require the visual improvement of the existing industrial estate and should be subject to adequate screening.

23. I acknowledge that allocation HD05 is indeed visible to viewers on the northbound and southbound carriageways of the adjacent A9. I noted on my site inspection that there is some limited existing vegetation north of the site that partially filters views from the A9 over built up parts of Helmsdale, the new harbour area and beyond to the Moray Firth. Nevertheless, I do not consider that the allocation of the site will have a detrimental impact on tourism in Helmsdale to any significant degree; it is sufficiently distant to the important key areas of tourist interest in the town, which are located around the town centre and the old harbour area. The Developer Requirements for the site require landscaping and this, combined with sensitive siting and design, would minimise impacts on adjoining residential development and views from the trunk road.

24. Overall, I consider that the site is appropriate for this class 5 General Industrial allocations. It's access via the existing industrial estate is in close proximity to the A9, thereby avoiding the need for commercial traffic to pass through residential areas. Bordered to the north by the A9, to the west by the existing industrial estate, and to the east by agricultural land, only a limited part of the allocation, along its southern boundary, adjoins sensitive residential development. I agree with the planning authority that allocating the eastern portion of the site for housing would not be compatible with the industrial allocation on the remaining part of the site. To add further housing adjacent to the reduced site's eastern boundary could give rise to an additional constraint to future industrial development.

25. No other alternative sites appropriate for class 5 General Industrial use in Helmsdale SDA have been brought to my attention. Taking into account its earlier allocation for Industry in the adopted local plan, the Placemaking Priorities for Helmsdale as set out in the Plan, and the absence of any alternative site, I consider that HD05 should continue to be allocated for Industrial purposes. This would ensure an effective supply of land for employment growth in Helmsdale in line with an important Placemaking Priority. For these reasons I do not propose to modify the Plan.

Reporter's recommendations:

I recommend the following modifications be made:

<u>HD03 Simpson Crescent</u>

1. Under the Helmsdale section of the Sutherland Settlements, page 95, adjust the 2nd clause of the Developer Requirements for HD03 to read:

"…Provide a buffer comprising of an enhanced green network between residential development and the seaward edge of the site;…"

<u>HD04 Shore Street</u>

2. Under the Helmsdale section of the Sutherland Settlements, page 96, adjust the 2nd clause of the Developer Requirements for HD04 to read:

"…Flood Risk Assessment required to inform layout and design. Only low vulnerability uses or operationally essential uses in areas shown to be at risk from flooding, to be accompanied by resilience measures;…"

Issue 23	**Lairg**	
Development plan reference:	Lairg pages 97 - 101	**Reporter:** Chris Norman

Body or person(s) submitting a representation raising the issue (including reference number):

Alasdair Marshall (966589)
Lairg and District Community Initiatives (979792)
Lairg Community Council (979971)
SNH (909933)

Provision of the development plan to which the issue relates:	Lairg settlement text and site allocation LA03

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

Lairg General

Alasdair Marshall (966589) - Objects to the placemaking priorities mentioning the River Oykel as it is the River Shin which runs from Lairg.

Objects to the considerable emphasis placed upon flooding within Lairg. Would like to know how this is determined as the loch is man made. Questioning if information used to inform the development plan has been out of date or not investigated properly. Notes there was flooding previously due to a surge wave breaching the large dam, however SSE completed engineering works to prevent this happening again. Any flooding would only come from rain or snow melt and would be mitigated by the diversion dam.

SNH (909933) - Due to the distance (~9km) and man-made barriers between Lairg and the River Oykel SAC, it is extremely unlikely that it would be affected by the proposed allocations. Reference to the SAC can therefore be removed from the general text about Lairg.

Lairg and District Community Initiatives (979792) and Lairg Community Council (979971) - Lairg and District Community Initiatives and the Community Council view the Former Sutherland Transport and Trading Company site on the corner of Main Street and the A836 (referred to in paragraph 168) as a focal point of the village and object to it just being allocated for environmental improvement. There has been discussion within the community as to possible future uses. Would anticipate a modest but aesthetically interesting development providing some car parking but not just a car park per se. Local feedback for the following suggested uses has been positive and supportive:

- Some form of development on the site which would be of practical use to the village and surrounding area whilst also addressing the environmental improvement issue.
- A tourist information and local craft type/hub development with a focus on linking the north, east, south and west.
- Picnic area and children's play area.

There have been recent improvements to the adjacent Church Hill wooded path which introduces visitors to spectacular views to the west, and improvement work here is ongoing. Would like any new development to link with and complement this path and help consolidate the village centre as an area of high amenity for the benefit of locals and tourists.

Lairg and District Community Initiatives (979792) - The A836 public footpath is well used by locals and visitors, not just as a section of the principal pedestrian route linking the village with the railway station but also as part of a circular path alongside the river with access across the lower dam to the Invershin road on the west side, returning to the village. In order to help with future project funding applications we would like to see this route identified formally as part of the Core Footpath Network.

LA03 Former Sutherland Arms Site

Lairg Community Council (979971) - The Community Council has canvased the community over the last three years and the local community would like to see this site used for the development of a care home.

Modifications sought by those submitting representations:

Lairg General

Alasdair Marshall (966589) - Placemaking priorities should refer to River Shin and not River Oykel.

Removal of reference to flood risk (assumed).

SNH (909933) - Remove reference to River Oykel SAC.

Lairg and District Community Initiatives (979792) and Lairg Community Council (979971) - Allocate the Former Sutherland Transport and Trading Company site referred to in paragraph 168 for community uses (assumed).

Lairg and District Community Initiatives (979792) - Identify the A836 public footpath as a Core Path.

LA03 Former Sutherland Arms Site

Lairg Community Council (979971) - Include additional use of care home.

Summary of responses (including reasons) by planning authority:

Lairg General

The reference in the placemaking priorities is to the River Oykel SAC, not the River Oykel per se. Connectivity to the River Oykel SAC was identified through the Strategic Environmental Assessment (SEA) (CD07) work for the plan. However whilst preparing the Habitats Regulations Appraisal (HRA) (CD09) for the plan, all the allocations in Lairg were screened out. The Council accepts the opinion expressed by SNH that due to the distance and man-made barriers between Lairg and the SAC, it is extremely unlikely that it would be affected by the allocations. If the Reporter is so minded the Council is content for the

reference to the River Oykel SAC to be removed from the placemaking priorities.

The Council takes advice on flood risk from SEPA and uses SEPA's Flood Maps which show where there are certain levels of risk of flooding from rivers, the sea and surface water. Based on this advice Flood Risk Assessments are listed as developer requirements for sites LA01, LA02, LA04 and LA05. Not all potential flooding is from Little Loch Shin, there is also potential flood risk from watercourses within sites. By requiring Flood Risk Assessment the Council is enabling better planning decisions to avoid unnecessary development in flood risk areas. The Council does not therefore believe that there is unnecessary emphasis placed upon flooding within Lairg and therefore does not propose any modifications to the developer requirements of sites LA01, LA02, LA04 and LA05.

The Former Sutherland Transport and Trading Company site is not an allocated site within the Plan but it sits within the SDA and is mentioned in the settlement text at paragraph 168 in terms of welcoming environmental improvements. Two of the placemaking priorities for Lairg are to assist and promote economic development and to support additional tourist facilities. The Council agrees that it is a focal point for the village, but considers that the existing text in the plan is sufficient to allow for a wide range of additional enhancing uses that the community may wish to pursue. However if the Reporter is so minded the Council would be agreeable to additional wording being added to paragraph 168: "The area is a key focal point for Lairg and the local community is keen to enhance the range of facilities on the site for both the community and tourists. Some car parking should be retained, but there may be potential to provide picnic tables, children's play area, tourist information point/interpretation and a local craft hub. The opportunity should be taken to link into the recently improved Church Hill wooded path."

The request to include the A836 Public Footpath in the Core Path Plan has been forwarded to the Access Officer in the Council to be considered in the continuing review of the Core Path Plan (CD43). The existing Core Path Plan (CD44) was adopted by the Council in September 2011 after the plan had been through the statutory consultation process. The review of the Core Paths is being carried out as a separate process with a separate consultation to the Local Development Plan. No modification to the Local Development Plan is proposed by the Council.

<u>LA03 Former Sutherland Arms Site</u>

This is a key entrance site into Lairg which has been vacant for a considerable time. The mixed use allocation in the Plan allows for housing, community, tourism and retail. The community use would cover a potential care home development, so there is no need to add care home to the range of uses covered under the mixed use allocation. No modification is proposed by the Council.

Reporter's conclusions:

<u>Lairg General</u>

1. The central undeveloped part of Lairg, to the south of Church Hill and between the corner of Main Street and the A836 comprising the site of the former Sutherland Transport and Trading Company, is referred to in paragraph 168 of the Plan as being appropriate for environmental improvements. The representations from Lairg Community Council and Lairg and District Community Initiatives see this area as a focal point of the village and object to it just being proposed for environmental improvements and believe, as an

alternative, that it should be allocated for community uses.

2. While this central part of Lairg is not subject to any specific allocation in the Plan, I agree that it is an important central hub for the village. It is adjacent to the attractive Church Hill woodland walkways, and adjoining land provides car parking on the A836, a principal tourist route. Against this background 2 of the Plan's Placemaking Priorities for Lairg are the assisting and promoting of economic development and the supporting of additional tourist facilities.

3. The planning authority considers that the existing text in the Plan is sufficient to allow for a wide range of additional enhancing uses that the community may wish to pursue, and has also suggested additional wording that takes into account the representations that have been made.

4. Accordingly, I sought the views from both Lairg Community Council and Lairg and District Community Initiatives to the planning authority's proposed additional wording to paragraph 168. No response was received from either organisation. Nevertheless, I agree that the additional wording now proposed by the planning authority would strengthen the comments made by both the community council and Lairg and District Community Initiatives, and I consider that it should be added to paragraph 168 and I propose to modify the Plan accordingly.

5. The third bullet point in the Placemaking Priorities for Lairg refers to the River Oykel Special Area of Conservation (SAC), an international designation, which applies to both the River Oykel and its extensive network of tributaries. The closest point of the boundary of the River Oykel SAC is some 7.5 kilometres to the south west of the Lairg Settlement Development Area (SDA). While I accept that it is the River Shin and not the River Oykel that passes through Lairg, I have no reason to believe that the reference to the River Oykel SAC in the Placemaking Priorities is erroneous, or that the intended reference was to the River Shin.

6. However, Scottish Natural Heritage (SNH) points out that because of the large distance between the River Oykel SAC and the village, and because of the barriers between them which include the intervening countryside, roads, the railway and the River Shin, it is extremely unlikely that there will be connectivity between development in the village and the SAC. This is confirmed by the screening carried out by the planning authority as part of the Habitats Regulations Appraisal (HRA). For these reasons, I propose to modify the Plan by deleting, as a Placemaking Priority for Lairg, the third bullet point and its reference to the avoidance of any adverse effect on the River Oykel SAC.

7. Throughout its text on the allocations in Lairg, there is a recognition in the Plan of the need to have regard to the potential for flooding. Paragraph 167 acknowledges that a high risk of flooding means that the community use of LA05, north west of Ferry Croft, renders this site unsuitable for most forms of built development. In addition, the Plan acknowledges that, as a Developer Requirement, a flood risk assessment is required in association with allocations LA01, LA03, LA04 and LA05. There is no such Developer Requirement for LA02.

8. I accept that there is an emphasis on flooding in the Plan which is reflected in the Developer Requirements for 4 allocated sites. However, I agree with the comments of the planning authority that the reference to the need for flood risk assessments is based upon advice from SEPA. This is to primarily assist in the assessment of proposals for these

allocations and is not solely attributable to any consequential flooding from the man made Loch Shin and Little Loch Shin. Indeed, there is also potential flood risk from watercourses within sites. I consider that the planning authority's reference to the need for flood risk assessments for the 4 allocated sites is a diligent approach, based upon technical advice from SEPA, and I do not believe that it is necessary to modify the Plan.

LA03 Former Sutherland Arms site

9. The prominent 1.2 hectare site of the former Sutherland Arms is in a central location adjacent to the A836 and the entrance into Lairg. It has lain vacant for several years but supports attractive vegetation. It is within a convenient walking distance of the main shops in the centre of the village and it is allocated for mixed uses in the Plan, with an indicative housing capacity of 5 units.

10. I agree with the planning authority that this is an appropriate mixed use allocation which would allow for housing, community, tourism and retail uses. Similarly, I consider that it's convenient and attractive central location means that it is an appropriate location for a residential institution such as a nursing home or care home or similar use.

11. Residential accommodation with the provision of care to people in need of care, or a nursing home, falls within use class 8, Residential Institutions, of the 1997 Town and Country Planning (Use Classes) (Scotland) Order (The 1997 Order). The Glossary of the Plan indicates that housing uses may allow use class 8 Residential Institutions. I therefore consider that possible proposals for a care or nursing home on this site would fall within the range of uses already specified in the Plan for this allocation. In the circumstances, I do not believe that any change is required to the Plan.

Reporter's recommendations:

I recommend that the following modifications be made:

Lairg General

1. Under the Lairg section of the Sutherland Settlements, page 97, add the following 3 sentences to paragraph 168 to read:

"The area is a key focal point for Lairg and the local community is keen to enhance the range of facilities on the site for both the community and tourists. Some car parking should be retained, but there may be potential to provide picnic tables, a children's play area, a tourist information point/interpretation and a local craft hub. The opportunity should be taken to link into the recently improved Church Hill wooded path."

Placemaking Priorities

2. Under the Lairg section of the Sutherland Settlements, page 97, delete the third bullet point from the Placemaking Priorities relating to the River Oykel SAC.

Issue 24	**Lochinver**	
Development plan reference:	Lochinver pages 102 - 105	**Reporter:** Dilwyn Thomas
Body or person(s) submitting a representation raising the issue (including reference number):		
Bill Badger (967160) Durrant & Maysie Macleod (967261) SEPA (906306) SNH (909933) T Vestey (980092)		
Provision of the development plan to which the issue relates:	Lochinver site allocations	
Planning authority's summary of the representation(s):		

LV01 Former Sheep Pens North of Inver Park

SNH (909933) - For clarity and consistency with other text for settlements within an NSA, in developer requirements add the following text, "…safeguard sensitive landscape setting…".

T Vestey (980092) - Supports site. There is a clearly identified housing need in Lochinver and this site can meet part of that need.

LV02 Cnoc A' Mhuilin

SNH (909933) - For clarity and consistency with other text for settlements within an NSA, in developer requirements add the following text, "…safeguard sensitive landscape setting…". Welcomes that advice on density and height of development has been taken into account however recommends the following modification to the developer requirements text to make it clear what interests SNH would be seeking to be covered by the design statement: "Design statement to be prepared to safeguard the landscape features that contribute to the special qualities of the Assynt-Coigach NSA, in particular the landform and landscape setting of the surroundings. Separately, the design statement should address, to the satisfaction of the Highland Council, the setting in relation to the nearby listed buildings. …"

T Vestey (980092) - Supports site. There is a clearly identified housing need in Lochinver and this site can meet part of that need.

Durrant & Maysie Macleod (967261) - Concerned about this site for the following reasons: noise and disruption from neighbours and traffic; light pollution; lack of privacy with neighbours looking down onto their property. Does not want a through road passing through the area of development as it would create noise and disruption. Need to allow space for movement of wildlife. Suggest up to 3 plots in line with Hillhead Cottage, at the same level. Any further development to be further back out of the main view and entered

from either the Fank across from Inver Park at LV01 or off the B869 across the cattle grid. The area from LV01 stretches through a gentle uphill wide valley to the B869, allowing the potential of very long term growth of a great number of housing when and if they were needed. This would not encroach on existing properties nor spoil the views of the approach to Lochinver.

LV03 Canisp Road

SNH (909933) - For clarity and consistency with other text for settlements within an NSA, in developer requirements add the following text, "…safeguard sensitive landscape setting…".

SEPA (906306) - There is a small watercourse on the boundary of the site. Therefore part of the site is at risk of flooding. Therefore SEPA objects to the site unless the following developer requirement text is added to the plan: "Flood Risk Assessment (no development in areas shown to be at risk of flooding)." This amendment will help protect people and property from flood risk and ensure compliance with the flood risk avoidance position in Scottish Planning Policy, ensure that developers are aware that flood risk may be a constraint on development and ensure that developer requirements for all sites thought to be at risk of flooding are dealt with consistently throughout the plan.

Bill Badger (967160) - Supports the allocation as it appears consistent with the overall strategy.

LV04 Culag Road

SNH (909933) - For clarity and consistency with other text for settlements within an NSA, in developer requirements add the following text, "…safeguard sensitive landscape setting…".

SEPA (906306) - This large site is adjacent to the coastal flood map and the south eastern boundary is adjacent to the fluvial Flood Map. Therefore small parts of the site may be at risk of flooding. As a result SEPA objects object unless the following developer requirement text is added to the plan: "Flood Risk Assessment may be required (no development in areas shown to be at risk of flooding)." This amendment will help protect people and property from flood risk and ensure compliance with the flood risk avoidance position in Scottish Planning Policy, ensure that developers are aware that flood risk may be a constraint and ensure developer requirements for all sites thought to be at risk of flooding are dealt with consistently throughout the plan.

Both the information held by SEPA and the assessment outlined in the Environmental Report indicates that this site is on peat soils. Therefore SEPA objects unless the following developer requirement text is added to the plan: "Peat assessment and management plan". This amendment will ensure compliance with Scottish Planning Policy. It will also ensure consistency with other allocations on peat in the plan.

Bill Badger (967160) - Supports the allocation. Environmental education is important and agrees that the landscape is highly sensitive to development.

LV05 West of the Coastguard Station

SNH (909933) - For clarity and consistency with other text for settlements within an NSA,

in developer requirements add the following text, "…safeguard sensitive landscape setting…".

LV06 Land Adjacent to Assynt Leisure Centre

SNH (909933) - For clarity and consistency with other text for settlements within an NSA, in developer requirements add the following text, "…safeguard sensitive landscape setting…".

SEPA (906306) - Notes the developer requirement includes the need for a Flood Risk Assessment; however SEPA is not aware of any flooding in this area and it is not identified as an issue in the Environmental Report. SEPA has also checked with the Council's flood prevention team and they have not identified the need for Flood Risk Assessment for this site. As a result, unless you hold information we are not aware of, we recommend that you reconsider whether a Flood Risk Assessment in required for this allocation.

LV07 Culag Harbour

SNH (909933) - For clarity and consistency with other text for settlements within an NSA, in developer requirements add the following text, "…safeguard sensitive landscape setting…".

SEPA (906306) - Part of this site is within the Coastal and Fluvial Flood Map and therefore is likely to be at risk of flooding. Notes that the allocation is for industry and is located in a harbour. Whilst SEPA supports the principle of the developer requirement "Flood Risk Assessment, part of the site in coastal flood zone, in this area only water-related uses permissible" we recommend that this be amended to "Flood Risk Assessment required to inform layout and design. Only low vulnerability uses or operationally essential uses in areas shown to be at risk of flooding, to be accompanied by resilience measures." This amendment will ensure that the development type complies with the flood risk framework outlined in Scottish Planning Policy. It will also ensure consistency with the rest of the plan.

Modifications sought by those submitting representations:

LV01 Former Sheep Pens North of Inver Park

SNH (909933) - Developer requirements should include requirement to safeguard qualities of the National Scenic Area by acknowledging the sensitive landscape setting.

LV02 Cnoc A' Mhuilin

SNH (909933) - Developer requirements should include requirement to safeguard qualities of the National Scenic Area by acknowledging the sensitive landscape setting.

Amend developer requirement regarding design statement to reflect the priority to safeguard the National Scenic Area as well as Listed Buildings.

Durrant & Maysie Macleod (967261) - Restrict development of site to three plots and direct future growth of the settlement north from LV01.

LV03 Canisp Road

SNH (909933) - Developer requirements should include requirement to safeguard qualities of the National Scenic Area by acknowledging the sensitive landscape setting

SEPA (906306) - Developer requirements should include a Flood Risk Assessment.

LV04 Culag Road

SNH (909933) - Developer requirements should include requirement to safeguard qualities of the National Scenic Area by acknowledging the sensitive landscape setting.

SEPA (906306) - Developer requirements should include a Flood Risk Assessment.

Developer requirements should include a Peat Assessment and peat management plan.

LV05 West of the Coastguard Station

SNH (909933) - Developer requirements should include requirement to safeguard qualities of the National Scenic Area by acknowledging the sensitive landscape setting.

LV06 Land Adjacent to Assynt Leisure Centre

SNH (909933) - Developer requirements should include requirement to safeguard qualities of the National Scenic Area by acknowledging the sensitive landscape setting.

SEPA (906306) - Remove developer requirement for a Flood Risk Assessment.

LV07 Culag Harbour

SNH (909933) - Developer requirements should include requirement to safeguard qualities of the National Scenic Area by acknowledging the sensitive landscape setting.

SEPA (906306) - Amend developer requirement for Flood Risk Assessment to ensure only low vulnerability or operationally essential uses are permitted with resilience measures.

Summary of responses (including reasons) by planning authority:

LV01 Former Sheep Pens North of Inver Park

If the Reporter is so minded, the Council is agreeable to amending the Developer Requirements to include the following text (additional text italicised): “Careful siting, design and layout to safeguard sensitive *landscape* setting”.

Support for the site due to the identified need for housing in Lochinver is noted.

LV02 Cnoc A' Mhuilin

If the Reporter is so minded, the Council is agreeable to amending the Developer Requirements to include the following text: “Design statement to be prepared to safeguard the landscape features that contribute to the special qualities of the Assynt-Coigach NSA, in particular the landform and landscape setting of the surroundings. Separately, the

design statement should address, to the satisfaction of the Highland Council, the setting in relation to the nearby listed buildings".

Concerns from neighbouring residents about potential for development to impact on setting, residential amenity, and environmental qualities of the settlement are noted. However, the Indicative Housing Capacity for the site is 10 houses, options for access are from either Baddidaroch Road or the A837 and there are restrictions on development height to 1.5 storeys. It is considered that these requirements are sufficient to address the concerns raised and will maintain residential amenity. No modification is proposed by the Council.

The suggestion to focus expansion north from site LV01 is not supported because the existing sites offer development potential within the settlement envelope that is sufficient to meet current demand. No modification is proposed by the Council.

Support for the site due to the identified need for housing in Lochinver is noted.

LV03 Canisp Road

If the Reporter is so minded, the Council is agreeable to amending the Developer Requirements to include the following text (additional text italicised): "Design statement and sensitive layout to include planting to safeguard sensitive *landscape* setting"

If the Reporter is so minded, the Council is agreeable to including the following text in the Developer Requirements: "Flood Risk Assessment (no development in areas shown to be at risk of flooding)."

Support for the site to help deliver the overall strategy for the Plan is noted.

LV04 Culag Road

If the Reporter is so minded, the Council is agreeable to amending the Developer Requirements to include the following text (additional text italicised): "Design statement to safeguard the sensitive *landscape* setting".

If the Reporter is so minded, the Council is agreeable to including the following text in the Developer Requirements: "Flood Risk Assessment may be required (no development in areas shown to be at risk of flooding)".

If the Reporter is so minded, the Council is agreeable to including the following text in the Developer Requirements: "Peat assessment and management plan may be required". The inclusion of the word 'may' goes beyond the modification sought by SEPA (906306) because this site is allocated for community uses restricted to 'off-grid' structures and there may be proposals where assessment is not required.

Support for the site allocation and the potential for environmental education is noted.

LV05 West of the Coastguard Station

If the Reporter is so minded, the Council is agreeable to amending the Developer Requirements to include the following text (additional text italicised): "Careful siting, design and layout to safeguard sensitive *landscape* setting"

LV06 Land Adjacent to Assynt Leisure Centre

If the Reporter is so minded, the Council is agreeable to amending the Developer Requirements to include the following text: “Careful siting, design and layout to safeguard sensitive landscape setting”

If the Reporter is so minded, the Council is content for the developer requirement for a Flood Risk Assessment to be removed, based on the advice from SEPA (906306) and the Council’s Flood Risk Team.

LV07 Culag Harbour

If the Reporter is so minded, the Council is agreeable to amending the Developer Requirements to include the following text:

“Careful siting, design and layout to safeguard sensitive landscape setting”

If the Reporter is so minded, the Council is agreeable to amending the Developer Requirements to include the following text:

“Flood Risk Assessment required to inform layout and design. Only low vulnerability uses or operationally essential uses in areas shown to be at risk of flooding, to be accompanied by resilience measures.”

Reporter’s conclusions:

LV01 Former Sheep Pens North of Inver Park

1. LV01 is situated on the northern edge of the attractive linear village of Lochinver, on the north side of Baddidaroch Road, in a predominantly residential area. The site extends to around 0.7 hectares, is overgrown, slopes up from Baddidaroch Road towards a plateau, and is reasonably well contained in the landscape. It is an infill site, which relates well to the existing housing. Its allocation as a housing site in the Plan is a continuation of its housing allocation in the adopted local plan. The site contributes to meeting the housing land requirement in the Plan, and to providing a choice of housing sites in this isolated village, which is the main, employment and tourist centre for south west Sutherland. I note the support for this site.

2. Lochinver is within the Assynt-Coigach National Scenic Area (NSA). The importance of this national designation is highlighted in Scottish Planning Policy (SPP) and at paragraph 176 of the Plan. Development in a NSA should only be permitted where the objectives of designation and the overall integrity of the area will not be compromised. Scottish Natural History (SNH) proposes a change to the Developer Requirements so that they take into account this particular environmental interest. The planning authority accepts this proposed change. Given the sensitivity of this landscape, and the need to have regard to its special qualities, I consider that it would be appropriate to change the wording to make clear that the sensitive setting to be safeguarded in this instance is the landscape.

3. Overall, an adjustment is required to the Plan.

LV02 Cnoc A'Mhuilin

4. LV02 is situated on the northern edge of the attractive village of Lochinver, on the north side of Baddidaroch Road and to the west of the A837, the main approach to Lochinver from the north. The village is linear in nature, and wraps around the eastern edge of Loch Inver. The site extends to around 2.9 hectares, is overgrown, slopes up from Baddidaroch Road and the A837, is adjacent to housing, and is opposite a church and cemetery, and the River Inver. It is prominently positioned at the northern entrance to the village. Its allocation as a housing site in the Plan is a continuation of its housing allocation in the adopted local plan. The site contributes to meeting the housing land requirement in the Plan, and to providing a choice of housing sites in this isolated village, which is the main, employment and tourist centre for south west Sutherland. I note the support for this site.

5. The Plan indicates that the council's Housing Strategy identifies Lochinver as a longer term priority for housing. The site wraps around a number of houses on this northern edge of the village, and would represent a reasonably natural extension and rounding off of it. The low density housing envisaged on site in the Plan broadly reflects the nature of the existing housing on this side of Baddidaroch Road. Access to the site could be achieved from the adjoining roads. In principle, I am therefore satisfied that this could be an acceptable residential allocation. This remains the case even taking into account the site's prominence and landscape value. Various concerns have been raised in representations, including concerns about proximity to existing housing, light pollution, loss of privacy, noise and disturbance, and the position of an access. While I am not persuaded that, in themselves, they could justify deletion of the allocation, given the houses close by, which sit below the site, I consider that there would be some merit in changing the Developer Requirements to refer to the need for sensitive siting and design to safeguard residential amenity. This would provide an appropriate framework to deal with these matters in detail at the planning application stage without being too prescriptive.

6. Lochinver is within the Assynt-Coigach National Scenic Area (NSA). The importance of this national designation is highlighted in Scottish Planning Policy) and at paragraph 176 of the Plan. Development in a NSA should only be permitted where the objectives of designation and the overall integrity of the area will not be compromised. Scottish Natural Heritage (SNH) proposes a change to the Developer Requirements to ensure that the design statement covers the need to safeguard the contribution that the landscape features make to the special qualities of this environmental interest. The planning authority accepts this proposed change. Given the sensitivity of this landscape, and the need to have regard to its special qualities, I consider that it would be appropriate to change the wording to make clear that the design statement should safeguard the landscape interest in the manner set out below.

7. I am satisfied that the Developer Requirements as changed would mean that the design statement would take into account the nearby river, church and cemetery, which make an important contribution to the character and attractive appearance of this part of Lochinver. Furthermore, I consider that the requirement to limit any development to 1.5 storeys would help mitigate its landscape impact.

8. I note that an alternative site has been put forward nearby but it does not appear to have been subject to public engagement, consultation or Strategic Environmental Assessment (SEA), and its full extent and boundaries are unclear. I am concerned that this alternative site could be very large potentially, that it could extend the village

significantly northwards, towards the B869, and much further into a sensitive landscape, and that such a northwards extension would not relate well to the existing pattern of the built up area of the village. I therefore do not consider the alternative to be appropriate.

9. Overall, an adjustment is required to the Plan.

LV03 Canisp Road

10. LV03 is situated on the eastern edge of the attractive linear village of Lochinver, on the south side of Canisp Road, with some existing housing to the west and south. This small site extends to around 0.7 hectares, contains a house, a burn and wooded grounds, and slopes up towards the east. It relates reasonably well to the village and would be an appropriate location to develop a modest number of houses such as that proposed in the Plan. It is a newly allocated housing site, not having been identified as a housing allocation in the adopted local plan. The site contributes to meeting the housing land requirement in the Plan, and to providing a choice of housing sites in this isolated village, which is the main, employment and tourist centre for south west Sutherland. I note the support for this site.

11. Scottish Environment Protection Agency (SEPA) indicates that the presence of the burn means that the site is at risk of flooding. The planning authority proposes that a requirement for a flood risk assessment be added to the Plan. Given the risk of flooding, and to achieve consistency with the policy principles in Scottish Planning Policy (SPP) which, amongst other things, promote a precautionary approach to flood risk from all sources and flood avoidance, I agree that adding a Developer Requirement for an assessment would be appropriate, along with a requirement that there should be no development in areas at risk from flooding.

12. Lochinver is within the Assynt-Coigach National Scenic Area (NSA). The importance of this national designation is highlighted in SPP and at paragraph 176 of the Plan. Development in a NSA should only be permitted where the objectives of designation and the overall integrity of the area will not be compromised. Scottish Natural Heritage (SNH) proposes a change to the Developer Requirements so that they take into account this particular environmental interest. The planning authority accepts this proposed change. Given the sensitivity of this landscape, and the need to have regard to its special qualities, I consider that it would be appropriate to change the wording to make clear that the setting to be safeguarded is the sensitive landscape.

13. Overall, adjustments are required to the Plan.

LV04 Culag Wood

14. LV04 is situated on the southern edge of the attractive linear village of Lochinver, to the south of the harbour and the associated industrial area, to the west of Loch Culag and Lochinver Primary School, and to the east of Loch Inver. This large site extends to around 40 hectares, is wooded and crossed by paths, and contains a small car park. It sits above the southern part of Lochinver and makes an important contribution to its landscape setting. The site is allocated for Community purposes in the Plan. More specifically, the Plan indicates that built development would be restricted to off grid structures such as woodland huts. Additionally, the woodland characteristics of the site should not be significantly diminished, and the path network should be safeguarded and enhanced.

15. Scottish Environment Protection Agency (SEPA) indicates that the site is adjacent to both the coastal and fluvial flood zones, with small parts of the site being at risk of flooding. The planning authority proposes that the Plan should identify a possible need for a flood risk assessment. Given the possible risk of flooding on parts of the site, and to achieve consistency with the policy principles in Scottish Planning Policy (SPP) which, amongst other things, promote a precautionary approach to flood risk from all sources and flood avoidance, I agree that adding a Developer Requirement highlighting that an assessment may be required would be appropriate, along with a requirement that there should be no development in areas at risk from flooding.

16. Additionally, SEPA points out that the site is on peat soils, and requests that a Developer Requirement be added to the Plan for the submission of a peat assessment and management plan. The planning authority proposes the submission of such a plan only where the nature of the development requires it. Given that SPP indicates that where peat soils are present applicants should assess the likely effects of development on carbon dioxide emissions, I consider that the Developer Requirements should include a reference to such a plan. However, I accept that it may not be necessary for all proposals because of the allocation for Community Purposes, the restrictions on the nature of any built development on site, and the requirement to retain as much woodland as possible. I believe that the wording of the Plan should adopt the more flexible approach.

17. Lochinver is within the Assynt-Coigach National Scenic Area (NSA). The importance of this national designation is highlighted in SPP and at paragraph 176 of the Plan. Development in a NSA should only be permitted where the objectives of designation and the overall integrity of the area will not be compromised. Scottish Natural Heritage (SNH) proposes a change to the Developer Requirements so that they take into account this particular environmental interest. The planning authority accepts this proposed change. Given the sensitivity of this landscape, and the need to have regard to its special qualities, I consider that it would be appropriate to change the wording to make clear that the sensitive setting to be safeguarded is the landscape. Such a change would take into account the reference made in one representation to the landscape and community value of this woodland site, which includes ancient woodlands.

18. Overall, adjustments are required to the Plan.

<u>LV05 West of the Coastguard Station</u>

19. LV05 is situated on the western edge of the attractive linear village of Lochinver, to the west of the harbour and the associated industrial area and LV04 (Culag Wood), and to the east of Loch Inver. The site extends to around 1.5 hectares, is part of a former quarry, is covered in large boulders, and is low lying and adjacent to water. Its allocation as a business site is a continuation of its business allocation in the adopted local plan. More specifically, the Plan prioritises development on the industrial allocations at LV06 (Land adjacent to Assynt Leisure Centre) and LV07 (Culag Harbour), rather than on LV05.

20. Lochinver is within the Assynt-Coigach National Scenic Area (NSA). The importance of this national designation is highlighted in Scottish Planning Policy (SPP) and at paragraph 176 of the Plan. Development in a NSA should only be permitted where the objectives of designation and the overall integrity of the area will not be compromised. Scottish Natural Heritage (SNH) proposes a change to the Developer Requirements so that they take into account this particular environmental interest. The planning authority accepts this proposed change, and also proposes to add a reference to taking a careful

approach to the layout. Given the sensitivity of this landscape, and the need to have regard to its special qualities, I consider that it would be appropriate to change the wording to make clear that the sensitive setting to be safeguarded is the landscape, and to add a reference to layout.

21. Overall, an adjustment is required to the Plan.

LV06 Land Adjacent to Assynt Leisure Centre

22. LV06 is situated in the southern part of the attractive linear village of Lochinver, within the industrial area associated with the harbour, and adjacent to LV04 (Culag Wood) and LV07 (Culag Harbour). The site extends to around 1.4 hectares, is part of a former quarry, is partly covered by large boulders, has been subject to some tipping, and sits largely above the industrial and harbour area but below Culag Wood. Its allocation as an Industrial site is a continuation of its industrial allocation in the adopted local plan. More specifically, the Plan states that development is to remain within the extent of the former quarry.

23. A flood risk assessment is included in the Plan's Developer Requirements for this site. Scottish Environment Protection Agency (SEPA) points out that it is not aware of any flooding in this area, that flooding is not identified as an issue for this site in the Environmental Report, and that the local Flood Prevention Authority has not identified a need for a flood risk assessment. It therefore recommends that the requirement for a flood risk assessment be reconsidered. The planning authority accepts that the reference to such an assessment should be removed. Given that no flood risk has been identified in this case, I agree that the related Developer Requirement is unnecessary and can be deleted from the Plan.

24. Lochinver is within the Assynt-Coigach National Scenic Area (NSA). The importance of this national designation is highlighted in Scottish Planning Policy (SPP) and at paragraph 176 of the Plan. Development in a NSA should only be permitted where the objectives of designation and the overall integrity of the area will not be compromised. Scottish Natural Heritage (SNH) proposes a change to the Developer Requirements so that they take into account this particular environmental interest. The planning authority accepts this proposed change. Given the sensitivity of the landscape, and the need to have regard to its special qualities, I consider that it would be appropriate to add a Developer Requirement to make clear that the sensitive landscape setting is to be safeguarded through careful siting, design and layout. This requirement would also help to safeguard the ancient Culag woodlands.

25. Overall, adjustments are required to the Plan.

LV07 Culag Harbour

26. LV07 is situated in the southern part of the attractive linear village of Lochinver, within the industrial area associated with the harbour, and adjacent to LV06 (Land Adjacent to Assynt Leisure Centre). The site extends to around 1 hectare, is low lying and flat, and is in use as a yard area. Its allocation as an industrial site is a continuation of its industrial allocation in the adopted local plan.

27. A flood risk assessment is included in the Plan's requirements for this site. The Plan also highlights that no development should take place in that part of the site in the coastal

flood zone, and that only water related uses would be permissible in this area. Scottish Environment Protection Agency (SEPA) recommends that the wording in the Plan be changed to refer to allow low vulnerability or operationally essential uses in the areas at risk of flooding. The planning authority accepts the proposed change. I believe that the revised wording proposed would help to clarify the nature of the restrictions on the development potential of this site. It would also better reflect the terms of the flood risk framework set out in Scottish Planning Policy (SPP), which adopts a precautionary approach to flood risk from all sources. I therefore agree that this change to the Plan would be appropriate.

28. Lochinver is within the Assynt-Coigach National Scenic Area (NSA). The importance of this national designation is highlighted in SPP and at paragraph 176 of the Plan. Development in a NSA should only be permitted where the objectives of designation and the overall integrity of the area will not be compromised. Scottish Natural Heritage (SNH) proposes a change to the Developer Requirements so that they take into account this particular environmental interest. The planning authority accepts this proposed change. Given the sensitivity of the landscape, and the need to have regard to its special qualities, I consider that it would be appropriate to add a Developer Requirement to make clear that the sensitive landscape setting is to be safeguarded through careful siting, design and layout.

29. Overall, adjustments are required to the Plan.

Reporter's recommendations:

I recommend that the following modifications be made:

<u>LV01 Former Sheep Pens North of Inver Park</u>

1. Under the Lochinver section of the Sutherland Settlements, page 104, adjust the last clause of the Developer Requirements for LV01 to read:

"…Careful siting, design and layout to safeguard sensitive landscape setting."

<u>LV02 Cnoc A'Mhuilin</u>

2. Under the Lochinver section of the Sutherland Settlements, page 104, divide the 1st clause of the Developer Requirements for LV02 into 2, each reading:

"…Design statement to be prepared to safeguard the landscape features that contribute to the special qualities of the Assynt-Coigach NSA, in particular the landform and landscape setting of the surroundings; Separately, the design statement should address, to the satisfaction of the Council, the setting in relation to the nearby listed buildings;…"

3. Under the Lochinver section of the Sutherland Settlements, page 104, add the following new clause to the Developer Requirements for LV02 to read:

"…Sensitive siting and design to safeguard residential amenity."

LV03 Canisp Road

4. Under the Lochinver section of the Sutherland Settlements, page 104, add the following new clause to the Developer Requirements for LV03 to read:

"…Flood Risk Assessment (no development in areas shown to be at risk of flooding);…"

5. Under the Lochinver section of the Sutherland Settlements, page 104, adjust the 5th clause of the Developer Requirements for LV03 to read:

"…Design statement and sensitive layout (including planting) to safeguard sensitive landscape setting;…"

LV04 Culag Wood

6. Under the Lochinver section of the Sutherland Settlements, page 105, add the following 2 new clauses to the Developer Requirements for LV04 to read:

"…Flood Risk Assessment may be required (no development in areas shown to be at risk of flooding); Peat assessment and management plan may be required."

7. Under the Lochinver section of the Sutherland Settlements, page 105, adjust the penultimate clause of the Developer Requirements for LV04 to read:

"…Design statement to safeguard the sensitive landscape setting;…"

LV05 West of the Coastguard Station

8. Under the Lochinver section of the Sutherland Settlements, page 105, adjust the 6th clause of the Developer Requirements for LV05 to read:

"…Careful siting, design and layout to safeguard sensitive landscape setting;…"

LV06 Land Adjacent to Assynt Leisure Centre

9. Under the Lochinver section of the Sutherland Settlements, page 105, delete the 3rd clause of the Developer Requirements for LV06, which states "Flood Risk Assessment (no development in areas shown to be at risk of flooding;"

10. Under the Lochinver section of the Sutherland Settlements, page 105, add the following new clause to the Developer Requirements for LV06 to read:

"…Careful siting, design and layout to safeguard sensitive landscape setting."

LV07 Culag Harbour

11. Under the Lochinver section of the Sutherland Settlements, page 105, adjust the Developer Requirement for LV07 to read:

"Flood Risk Assessment required to inform layout and design. Only low vulnerability uses or operationally essential uses in areas shown to be at risk of flooding, to be accompanied by resilience measures."

12. Under the Lochinver section of the Sutherland Settlements, page 105, add the following new clause to the Developer Requirements for LV07 to read:

"…Careful siting, design and layout to safeguard sensitive landscape setting."

Issue 25	**Tongue**	
Development plan reference:	Tongue pages 106 - 109	**Reporter:** Dilwyn Thomas

Body or person(s) submitting a representation raising the issue (including reference number):

Proposed Plan
Caladh Sona Action Group (979708)
Crofting Commission (955042)
John Ferguson (968144)
Jon Baggs (967461)
SNH (909933)
Wildland Limited (983561)

Modified Proposed Plan
G Skene (MPP 1036901)

Provision of the development plan to which the issue relates:	Tongue settlement text and site allocations

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

Tongue General

Jon Baggs (967461) - The café and gift shop at Rhitongue should be mentioned.

John Ferguson (968144) - The allocations will help Tongue develop as a strategic service and tourism centre, whilst protecting the Kyle of Tongue NSA and the Council has recognised the importance of these factors to the community.

Wildland Limited (983561) - Supports the statement in paragraph 180.

TG01 South of Loyal Terrace

Crofting Commission (955042) - Site is part common grazing land and apportioned croft land. Objections have been received to decrofting applications within this vicinity in recent years. The area immediately adjacent to Loyal Terrace remains common grazing land and was left as such for the purpose of access when other parts were apportioned in 1970. We are not aware that this remains a current requirement, and given the length of time it is doubtful that it remains relevant.

TG02 North of Varrich Place

SNH (909933) - For clarity and consistency with other text for settlements within an NSA, in developer requirements add the following text, "…safeguard sensitive landscape setting…".

TG01 South of Loyal Terrace and TG02: North of Varrich Place

John Ferguson (968144) - TG01 together with TG02 make substantial provision for housing while maintaining the linear development pattern of the settlement. These allocations also avoid development projecting outwards and intruding into the surrounding open landscape of the Kyle of Tongue NSA.

TG03 East of the Fire Station

John Ferguson (968144) - This is a coherent allocation that maintains the linear settlement development between the two main roads. It would have good access to both roads and the services in the village centre. It would link between the main village and the shop/garage/petrol cluster on the other side of the lower road. The nature of the site allows a variation in height that would give an attractive environment for the residents, and allow the housing to blend in to the landscape.

TG04 South of St. Andrew's Church

John Ferguson (968144) - Supports this allocation as it links in with existing community and housing provision and has good access to the main road.

Jon Baggs (967461) - Object to the site being used for a business use as there are ample businesses in Tongue and the surrounding areas. Object to any uses which may displace their nearby café and shop. Any proposed business use has the potential to harm or displace existing businesses in the area. Any Business Displacement may be against the E.U. human rights act unless compensations is given and may contravene the E.U. Competition Laws if state run. Believe this site was bought at a peppercorn rate for community uses.

Caladh Sona Action Group (979708) - This site should be allocated and protected for community use. There has been extensive consultation between the NHSH and THC regarding the site for the proposed building to replace the two THC Care Homes, Caladh Sona (Melness) and Sinclair Court (Melvich). The Kyle of Tongue has been identified as the preferred area for the new build and if Tongue is the location selected then TG04 is the most suitable site being directly alongside the Health Centre and adjacent to the Kyle Centre. This land needs to be protected for this purpose or future Health and well-being facilities. There was considerable concern when this piece of land was put up for sale on the open market recently and only withdrawn by the CEO when it was drawn to his attention the suitability of this piece of land for the proposed new residential Care and Nursing facility/Health Hub. There is consensus in the community that even if this land is not chosen for the new build Health Hub that it should be retained for community development purposes due to its strategic position.

TG05 North of Fire Station

John Ferguson (968144) - Has the potential as a good site for the wider business community, including those living in the extended communities across the Kyle causeway bridge, who could come to work in business premises sited in this location.

Jon Baggs (967461) - Object to the site being used for a business use as there are ample businesses in Tongue and the surrounding areas. Object to any uses which may displace their nearby café and shop. Any proposed business use has the potential to harm or

displace existing businesses in the area. Any Business Displacement may be against the E.U. human rights act unless compensations is given and may contravene the E.U. Competition Laws if state run. Believe this site was bought at a peppercorn rate for community uses.

G Skene (MPP 1036901) - Concerns that an industrial use on the site could compromise a gateway into the settlement and impact residential amenity and setting. The potential for a future use as a car mechanic's garage would require a large area of land including set down for vehicles and waste materials. It would also require further management of drainage of the site and affect traffic management. However, the representor does not seek any modifications to CaSPlan.

Modifications sought by those submitting representations:

Tongue General

Jon Baggs (967461) - Add text to the introductory section that mentions the café and gift shop at Rhitongue.

TG02 North of Varrich Place

SNH (909933) - Developer requirements should include requirement to safeguard qualities of the National Scenic Area by mentioning the sensitive landscape setting.

TG04 South of St Andrew's Church

Jon Baggs (967461) - Remove 'Business' from list of site uses to safeguard existing businesses in the area.

Caladh Sona Action Group (979708) - Remove 'Housing' and 'Business' from list of site uses to safeguard site for replacement care facility for Caladh Sona (Melness) and Sinclair Court (Melvich).

TG05 North of Fire Station

Jon Baggs (967461) - Remove 'Business' from list of site uses to safeguard existing businesses in the area.

Summary of responses (including reasons) by planning authority:

Tongue General

The Council do not support the suggestion to mention individual private businesses. The Plan deals with land allocations and not with promoting specific private interests. However, the Plan does recognise the role Tongue serves as a service and tourist centre for the area and is therefore generally supportive of the contribution that local businesses make to supporting this role. No modification is proposed by the Council.

TG01 South of Loyal Terrace

The comments from the Crofting Commission are noted. The allocation is included in the adopted Sutherland Local Plan, June 2010 (as continued in force, 2012) - Map Booklet pt2

(CD16-4) for housing and by continuing to allocate it in the Plan, it will provide a suitable option for future housing development.

TG02 North of Varrich Place

If the Reporter is so minded, the Council is agreeable to amending the Developer Requirements to include the following text (additional text italicised): “Development should be supported by a Design Statement to safeguard the sensitive *landscape* setting”.

TG01 South of Loyal Terrace and TG02: North of Varrich Place

The support for the allocations to continue the existing linear form of the settlement and safeguard the sensitive landscapes of the NSA is noted.

TG03 East of the Fire Station

Support for the site to continue the existing linear form of the settlement and the assertion that the site has good access, could help consolidate the settlement and fit well into the landscape is noted.

TG04 South of St Andrew’s Church

Support for the allocation and assertion that it has good access and could consolidate the settlement is noted.

The objection made on the basis of potential threats to existing businesses in the area is noted. However, the site is allocated for mixed use, including business, to offer a flexible supply of land for future uses. This is in response to a range of emerging development proposals in the area (e.g. Wild Land Ltd. proposals, North Coast 500 Route etc.) and the need to ensure a land supply to meet potential future needs. The Plan deals with land allocations and not with specific business proposals, and therefore it is not anticipated that the Plan will cause displacement of existing businesses. No modification is proposed by the Council.

The aspiration for the site to be safeguarded for use by NHS Highland as a replacement health and care facility for Caladh Sona (Melness) and Sinclair Court (Melvich) is noted. It is also noted that NHS Highland have indicated that a location in the Kyle of Tongue is preferred, but that further consultation on options is still required, as set out in the NHS Highland Kyle of Tongue Press Release (CD48).The site is currently allocated for mixed use and given that no particular site has yet been identified by NHS Highland, it is considered that ensuring a mix of uses to meet the range of potential needs for Tongue is an appropriate approach. Should this site emerge as NHS Highland’s preferred location for a replacement facility it may not occupy the entire allocated site and the remainder may therefore be appropriate for additional uses, including housing and business. No modification is proposed by the Council.

TG05 North of Fire Station

Support for the site to provide potential employment opportunities for the wider area is noted.

The objection made on the basis of potential threats to existing businesses in the area is

noted. However, the site is allocated for mixed use, including business, to offer a flexible supply of land for future uses. This is in response to a range of emerging development proposals in the area (e.g. Wild Land Ltd. proposals, North Coast 500 Route etc.) and the need to ensure a land supply to meet potential future needs. The Plan deals with land allocations and not with specific business proposals, and therefore it is not anticipated that the Plan will cause displacement of existing businesses. No modification is proposed by the Council.

Concerns that the site has potential to impact on general amenity, gateway qualities, drainage and traffic management are noted. However, the Developer Requirements for the site deal specifically with all of these issues through careful siting and design, Flood Risk Assessment and relocation of the 40mph speed limit signage. No changes required to Plan.

Reporter's conclusions:

Tongue General

1. The Plan notes that Tongue is a strategic service and tourist centre for north west Sutherland, providing community services and various local facilities. Concern is expressed in one representation at the failure of the Plan to mention a café and gift shop at Rhitongue, so that it can be taken into account by the planning authority when considering proposals on land allocated for community and business development. Circular 6/2013, Development Planning, indicates that development plans are land use plans which are primarily about place, whose purpose is to address the spatial implications of economic, social and environmental change, and to set out an authority's proposals for the development and use of land. I agree with the planning authority that they would not be concerned with promoting the private interests of an existing business. This is a well established principle in town planning. Within this context, I do not consider that it would be appropriate to refer in the Plan to a specific private business interest such as the café and gift shop.

2. I note the support in 2 other representations for this part of Plan. One of the representations (by Wildland Ltd) also aims to strengthen the landscape protection designations in the wider (A'Mhoine peninsula) area. This matter is considered at Issue 06.

TG01 South of Loyal Terrace

3. TG01 is situated at the southern end of the attractive linear village of Tongue, to the south of Loyal Terrace. This small site extends to around 0.9 hectares, and comprises a field which slopes steeply down from east to west. It represents a reasonably natural extension of the village. Its allocation as a housing site in the Plan is a continuation of a part of the housing allocation identified at Loyal Terrace in the adopted local plan. The site contributes to meeting the housing land requirement in the Plan, and to providing a choice of housing sites in this isolated village, which is the main service and tourist centre for north west Sutherland. I note the support for this site.

4. The Crofting Commission points out that the site is part common grazing land and apportioned croft land. However, it raises no specific objection to the allocation of the site for housing remaining in the Plan. In light of this, and as the allocation reflects the established pattern of development in Tongue, does not unduly extend the village

southwards, and would continue an existing housing allocation, I am satisfied that it should be retained.

5. Overall, no adjustment is required to the Plan.

TG02 North of Varich Place

6. TG02 is situated on the western edge of the attractive linear village of Tongue, to the west of the A838 and immediately north of Varich Place. This small site extends to around 0.6 hectares, and comprises a field, which gently slopes down from east to west. It is prominently positioned on the main road, and faces towards the Kyle of Tongue. Its allocation as a housing site in the Plan is a continuation of a part of the housing allocation identified at Varich Place in the adopted local plan. The site contributes to meeting the housing land requirement in the Plan, and to providing a choice of housing sites in this isolated village, which is the main service and tourist centre for north west Sutherland. I note the support for this site.

7. Tongue is within the Kyle of Tongue National Scenic Area (NSA). The importance of this national designation is highlighted in Scottish Planning Policy (SPP) and at paragraph 181 of the Plan. Development in a NSA should only be permitted where the objectives of designation and the overall integrity of the area will not be compromised. Scottish Natural Heritage (SNH) proposes a change to the Developer Requirements so that they take into account this particular environmental interest. The planning authority accepts this proposed change. Given the sensitivity of this landscape, and the need to have regard to its special qualities, I consider that it would be appropriate to change the wording to make clear that the sensitive setting to be safeguarded by the Design Statement is the landscape.

8. Overall, an adjustment is required to the Plan.

TG03 East of the Fire Station

9. TG03 is situated on the northern edge of the attractive linear village of Tongue, between 2 sections of the A838, and adjacent to TG05 and the new Fire Station. It extends to around 2.2 hectares, and slopes steeply down from east to west I note the support for this site, which is identified in the Plan as a long term housing site, and as the likely preferred direction of growth beyond the Plan period.

TG04 South of St Andrew's Church

10. TG04 is situated in the western part of the attractive linear village of Tongue, on the eastern side of the A838, close to the village centre, and adjacent to the church, the local health centre, the North Coast Connection Community Well-being Hub, a hotel, and housing. This small site extends to around 0.6 hectares, and comprises a grassed area, which slopes down from east to west. It is a newly allocated mixed use site for Housing, Community and/or Business uses. The site contributes to meeting the housing land requirement in the Plan, and to providing a choice of housing sites in this isolated village, which is the main service and tourist centre for north west Sutherland. I note the support for this site.

11. Two representations seek the removal of the business use part of this allocation because of the harm it could cause to an ample number of existing businesses in the area

(including a local café and gift shop). In general terms, I consider that it is reasonable to make provision in the Plan for possible further business development in the village because of its important role as a strategic centre for the wider area. I believe that it is acceptable to do this through mixed use allocations because this provides flexibility in the supply of development land in a village where development is constrained by the sensitivity of the landscape, which is designated a National Scenic Area (NSA). I also find this to be a suitable site for business uses because of the community and commercial nature of the adjacent uses.

12. I note from the Glossary of the Plan that the range of uses allowed on a business allocation is mainly restricted to class 4 business use under the 1997 Town and Country Planning (Use Classes) (Scotland) Order. Cafés and shops are not included in this use class. However, even if a greater range of uses was allowed by the business allocation, I note that Local Development Plans would not be concerned with promoting or protecting the specific private interests of an existing business. Circular 6/2013, Development Planning, indicates that they are land use plans which are primarily about place, whose purpose is to address the spatial implications of economic, social and environmental change, and to set out an authority's proposals for the development and use of land. In all the circumstances, I consider that the business part of this mixed use allocation should be retained.

13. Another representation suggests that TG04 should be recognised as the most suitable site for the new Health Hub, which is being proposed to replace 2 existing care homes in the wider area. It also seeks the retention of the site for community development purposes if another site is chosen for the Health Hub. It appears that the new facility would be compatible with the community and housing parts of the mixed use allocation for TG04 because the Glossary indicates that community uses include non-residential institutions, and that housing uses may include residential institutions (use class 8 of the 1997 Town and Country Planning [Use Classes][Scotland] Order). I therefore do not consider that any change is required to the terms of TG04 to recognise this specific proposal. Moreover, I acknowledge that TG04 could have merit as a location for the new Health Hub because the local health centre and the Well-being Hub are adjacent to the site. However, while the Kyle of Tongue area has been selected as the preferred general location for the Health Hub, the site selection process is not yet complete and it is important not to pre-empt its outcome. I therefore consider that it would be inappropriate to refer in the Plan to TG04 being the most suitable site. Additionally, given the mixed uses nearby, I am satisfied that business and general housing are appropriate uses for this site as well as community uses. Combining this with the need to ensure a range of different development opportunities in this strategic centre, I do not believe that the mixed use allocation should be replaced by an allocation solely for community uses.

14. Overall, no adjustment is required to the Plan.

<u>TG05 North of Fire Station</u>

15. TG05 is situated on the northern edge of the attractive linear village of Tongue, between 2 sections of the A838, and adjacent to TG05, the new Fire Station and a church. This small, overgrown site extends to about 0.3 hectares, slopes steeply down from east to west, and is prominently positioned on the main road. Its allocation as a mixed use site in the Plan is a continuation of a part of the mixed use allocation identified at North of St Andrew's Church in the adopted local plan. The allocation covers community and business uses. I note the support for this site.

16. Two representations seek the removal of the business use part of this allocation because of the harm it could cause to an ample number of existing businesses in the area (including a local café and gift shop). In general terms, I consider that it is reasonable to make provision in the Plan for possible further business development in the village because of its important role as a strategic centre for the wider area. I believe that it is acceptable to do this through mixed use allocations because this provides flexibility in the supply of development land in a village where development is constrained by the sensitivity of the landscape, which is designated a National Scenic Area. I also find this to be a suitable site for business uses because of the mixed nature of the adjacent uses, which include a fire station and community uses.

17. I note from the Glossary of the Plan that the range of uses allowed on a business allocation is restricted mainly to class 4 business use under the 1997 Town and Country Planning (Use Classes) (Scotland) Order. Cafés and shops are not included in this use class. However, even if a greater range of uses was allowed by the business allocation, I note that Local Development Plans would not be concerned with promoting or protecting the specific private interests of an existing business. Circular 6/2013, Development Planning, indicates that they are land use plans which are primarily about place, whose purpose is to address the spatial implications of economic, social and environmental change, and to set out an authority's proposals for the development and use of land. In all the circumstances, I do not believe that the deletion of the business part of this mixed use allocation would be warranted on the basis of these representations.

18. Another representation is concerned with the negative effects of any industrial units on the site. I accept that this is an important site in the village because of its gateway location, and that industrial type uses and poorly designed development could have a significantly detrimental effect on the character and appearance of this area. However, the range of uses allowed on a business allocation is restricted in the manner set out above, and the types of industrial use referred to in the representation would not be included. Moreover, I note that the Developer Requirements for TG05 require any development to be carefully sited and designed to safeguard the sensitive landscape setting and the site's gateway qualities. I agree with the planning authority that the concerns raised about road management and drainage are adequately addressed in the Plan by the requirements to extend the 40 miles per hour speed limit, and prepare a flood risk assessment. I assume that any issue of drainage was satisfactorily resolved for the adjacent Fire Station development. Drawing these factors together, I am satisfied that a business use is an appropriate part of this mixed use allocation.

19. Overall, no adjustment is required to the Plan.

Reporter's recommendations:

I recommend that the following modification be made:

<u>TG02 North of Varich Place</u>

1. Under the Tongue section of the Sutherland Settlements, page 108, adjust the 2nd clause of the Developer Requirements for TG02 to read:

"…Development should be supported by a design statement to safeguard the sensitive landscape setting;…"

Issue 26	**Growing Settlements - Sutherland**	
Development plan references:	Growing Settlements – Sutherland: Bettyhill, Durness, Embo, Kinlochbervie, Melness, Melvich, Portskerra, Rosehall, Scourie pages 110 - 121.	**Reporter:** Tim Brian

Body or person(s) submitting a representation raising the issue (including reference number):

Balnagown Castle Properties (968666)
Crofting Commission (955042)
Duncan Allan (972556)
Laid Grazings and Community Committee (978867)
Robert Tomkinson (978561)
RSPB Scotland (956544)
SNH (909933)

Provision of the development plan to which the issue relates:	Growing Settlements – Sutherland: Bettyhill, Durness, Embo, Kinlochbervie, Melness, Melvich, Portskerra, Rosehall, Scourie

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

Bettyhill

Crofting Commission (955042) - Crofting land tenure remains an important feature of the area.

Durness

Crofting Commission (955042) - Land under crofting tenure an important feature of settlement.

RSPB Scotland (956544) - Would like Placemaking Priorities to include: "Development should minimise the loss of traditionally crofted inbye land which provides suitable habitat for corncrake."

Laid Grazings and Community Committee (978867) - Would like to create a distillery on Common Grazings lands in the settlement.

Embo

Duncan Allan (972556) - Objects to there being no mention of a new golf course on the Embo Links. The proposals to have small holdings on the outskirts of the village will have a bad effect on the environment and therefore will degrade the visual aspects of the area which could have an impact on tourism.

Kinlochbervie

Crofting Commission (955042) - Acknowledges the recognition given to the role of crofting within this settlement. Notes the proposal to direct development to infill sites and prevent

ad hoc development in the surrounding countryside but would expect necessary developments on croft land to be exempt from such restriction.

Melness

Crofting Commission (955042) - Agrees with the recognition of crofting's important role contained within the Placemaking Priorities.

Melvich

Crofting Commission (955042) - Agree that the historic crofting settlement pattern should be maintained wherever possible, but also that the significance of croft land within the settlement should also be recognised.

Portskerra

Crofting Commission (955042) - Acknowledges the intent to maintain the historic crofting settlement pattern, but also notes the significance of crofting land tenure within the settlement.

Rosehall

SNH (909933) - Welcomes the inclusion of their April 2015 advice in relation to sewage treatment to minimise potential impacts on the River Oykel SAC.

Balnagown Castle Properties (968666) - Had previously sought the retention of Rosehall as a settlement, failing which, identification of it as a growing settlement. Therefore supports Rosehall being included as a growing settlement due to the services present and the wider catchment that it serves. If there is any change proposed to this through the Examination process, would like to be involved in the discussion. However, objects to the wording of two of the placemaking priorities:

- Would like the first placemaking priority amended to read, “Development that would have an adverse impact on the River Oykel Special Area of Conservation will be discouraged”;
- Would like the second placemaking priority amended to read, “Development between the road and the river that would have an adverse effect on the River Oykel Special Area of Conservation will be required to connect to mains sewage…”.

Robert Tomkinson (978561) - Rosehall needs superfast broadband in order to develop and this is not envisaged within the plan.

Scourie

Crofting Commission (955042) - Agrees that the traditional crofting landscape in the centre of the village should be safeguarded, but it should also be noted that the area primarily consists of crofting land.

Modifications sought by those submitting representations:

Durness

Crofting Commission (955042) - Crofting should be recognised as an important feature of

the settlement.

RSPB Scotland (956544) - Include the following additional Placemaking Priority: "Development should minimise the loss of traditionally crofted inbye land which provides suitable habitat for corncrake."

Laid Grazings and Community Committee (972556) - Include reference to developing a distillery on Common Grazings lands.

Embo

Duncan Allan (972556) - Plan should mention new golf course on the Embo Links.

In placemaking priorities remove the reference to development of new crofts.

Melvich

Crofting Commission (955042) - Include text that recognises the significance of croft land within the settlement.

Portskerra

Crofting Commission (955042) - Include text that recognises the significance of croft land within the settlement.

Rosehall

Balnagown Castle Properties (968666) - First placemaking priority amended to: "Development that would have an adverse impact on the River Oykel Special Area of Conservation will be discouraged".

Second placemaking priority amended to: "Development between the road and the river that would have an adverse effect on the River Oykel Special Area of Conservation will be required to connect to mains sewage…".

Robert Tomkinson (978561) - Include the need for superfast broadband.

Scourie

Crofting Commission (955042) - Include text to highlight that the area consists primarily of crofting land.

Summary of responses (including reasons) by planning authority:

Bettyhill

The comment from the Crofting Commission is noted and the final bullet point under the issues reflects the important role of crofting in the area.

Durness

The Council agrees that crofting is an important feature of Durness and therefore if the

Reporter is so minded, the Council would be agreeable to an extra placemaking priority being added using the following or similar text: “Crofting in the parish of Durness should continue to be recognised as playing an important role for the community”.

The additional placemaking priority suggested by RSPB is unnecessary. The Corncrake is listed on Schedule 1 of the Wildlife and Countryside Act 1981 (CD49) which affords it special protection. Policy 58 (Protected Species) of the Highland-wide Local Development Plan, April 2012 (CD18) sets out what the Council would expect a developer to do if there was good reason to believe that a protected species may be present on a site or may be affected by a proposed development. No modification is proposed by the Council.

Whilst we note that the idea of a distillery on Common Grazings lands is being considered, it would not be appropriate to include a reference to it in the Plan. The most appropriate way forward would be for a proposal to be submitted as a planning application. No modification is proposed by the Council.

Embo

Whilst we note that a proposal is being prepared for a golf course at Embo Links, and a Proposal of Application Notice has been submitted to the Council (reference 16/02911/PAN), there has as yet been no planning application submitted nor has a developer approached the Council about including it as a proposal within the Plan. If an application is submitted in the future it will be assessed against all relevant planning policies. Therefore the Council considers it premature to include a reference to a golf course at this location. No modification is proposed by the Council.

The representee would like the reference to the development of new crofts on the outskirts of the village removed as he is concerned about visual impacts and potential detrimental impacts on the environment. Matters such as these will be dealt with at the detailed planning application stage and assessed against all relevant policies on crofting and development in the countryside, in the Highland-wide Local Development Plan. No modification is proposed by the Council.

Kinlochbervie

The support from the Crofting Commission is noted. Any proposed developments on croft land would be assessed against the relevant policies in the Highland-wide Local Development Plan, April 2012 – Written Statement (CD18-1).

Melness

The support from the Crofting Commission is noted.

Melvich

The support from the Crofting Commission for the final placemaking priority is noted and the Council acknowledges that the role of crofting in the settlement is significant. Therefore, if the Reporter is so minded, the Council would be agreeable to an extra placemaking priority being added using the following or similar text: “Crofting should continue to be recognised as playing an important role for the community”.

Portskerra

The support from the Crofting Commission for the final placemaking priority is noted and the Council acknowledges that the role of crofting in the settlement is significant. Therefore, if the Reporter is so minded, the Council would be agreeable to an extra placemaking priority being added using the following or similar text: “Crofting should continue to be recognised as playing an important role for the community”.

Rosehall

The support from SNH on the inclusion of the second placemaking priority that development between the road and the river will be required to connect to mains sewerage is noted.

The first placemaking priority is intended to discourage development close to the River Oykel SAC due to the potential for connectivity and therefore impacts on the SAC. Amending it as suggested by the representee would mean that the emphasis would change from discouragement of all development, to only discouraging development that would have an adverse impact.

Equally the suggested amendment to the second placemaking priority for it to apply only to development that would have an adverse effect on the SAC, would change the emphasis from it being essential that all development between the road and river connect to mains sewerage to only those developments which would have an adverse effect on the SAC. Any development between the road and the river has the potential to impact on the SAC.

The Council feels that these two placemaking priorities as written are an appropriate approach to dealing with potential impacts to the SAC, considering that Rosehall is a Growing Settlement with no allocations and as such, no specific proposals have been subject to Habitats Regulation Appraisal including Appropriate Assessment.

The Connectivity and Transport Outcome outlines that CaSPlan supports National Planning Framework’s national development of a Digital Fibre Network and part of this is by supporting Highlands and Islands Enterprise’s roll out of superfast broadband. Therefore it is not necessary to specifically mention the need for superfast broadband in Rosehall.

No modifications are proposed by the Council.

Scourie

The support from the Crofting Commission for the 2nd bullet point in the placemaking priorities is noted. The 2nd bullet point under “Issues” states that “the settlement has retained a range of its traditional Highland forms like crofting rigs…”. The Council believes that this, coupled with the 2nd bullet point under placemaking priorities supporting the traditional crofting landscape in the centre of the village, is sufficient to ensure that he reader is aware that the area consists primarily of crofting land. No modification is proposed by the Council.

Reporter's conclusions:

Bettyhill

1. The Plan acknowledges that the development pattern across the settlement is varied due to differences in ground level and slope, historic land uses, land values and ownership (e.g. crofting). I am satisfied that this bullet point properly recognises the importance of crofting in the Bettyhill area, and that no change to the Plan is required as a consequence.

Durness

2. Durness is a dispersed settlement, with most development concentrated around the A838. There is no dispute that the crofting landscape is an important characteristic of Durness, and I agree that the Plan should be modified to take on board the comments of the Crofting Commission in that regard.

3. I note the suggestion that a distillery could be developed on the Laid Common Grazings, to the west of the A838 above Loch Eriboll (also see Issue 03: Growing Communities). However, this proposal would entail a significant development in a moorland area well outside Durness, and its merits would require to be tested by the submission of a planning application, which would allow the planning authority to make a full assessment of its impacts and benefits. It would be inappropriate for the Plan to include an untested proposal which is at such an early stage of development.

4. RSPB Scotland advises that Durness is the last location on the mainland where corncrake still breed. The species is highly dependent on the habitat created on traditionally crofted inbye land, and is on the Red List of Birds of Conservation Concern. Red is the highest conservation priority, which signifies that the species requires urgent action due to severe population decline.

5. I accept that there are policies in the Highland-wide Local Development Plan (HwLDP) which seek to safeguard protected species. However, because of the scarcity of this species in the UK and its known presence in Durness, I consider that the Plan should indeed refer to the need for development to minimise the impact on corncrake habitat in Durness as RSPB Scotland suggests.

Embo

6. I note there is a major proposal to develop a championship golf course on an area of over 300 hectares at Coul Links, to the north of Embo. Coul Links Ltd submitted a planning application on 29 September 2017 for the development of an 18 hole golf course with clubhouse and maintenance facility plus renovation of existing buildings on site.

7. The planning application is accompanied by an Environmental Statement which will assess the likely impact on the Dornoch Firth and Loch Fleet Special Protection Area (SPA) and the Loch Fleet Site of Special Scientific Interest (SSSI), together with all other relevant issues including the economic impact of the proposal. The application has been advertised in the press, and there will be wide consultation with statutory bodies, local residents and other interested parties. I consider that it would be wrong to pre-empt the outcome of those considerations by placing a reference to the proposal in the Local Development Plan.

8. The Plan recognises the potential for the development of new crofts at Embo, as part of a community led initiative. This approach is consistent with the council's general support for crofting which is outlined in the Highland-wide Local Development Plan (HwLDP). Any proposal would be assessed against the criteria set out in Policy 3: Growing Settlements of the Plan, which include the aim to avoid a net loss of amenity/recreational areas significant to the local community, and not to result in an adverse impact on any other locally important heritage feature, important viewpoint/vista or open space.

9. I am satisfied that the Plan contains sufficient safeguards to avoid the detrimental impacts which the author of the representation fears might occur.

Kinlochbervie

10. The Plan recognises the key role played by crofting in Kinlochbervie, and seeks to direct development to infill sites, and prevent sprawl of the settlement into the surrounding countryside. Nonetheless, I agree with the Crofting Commission that necessary developments on croft land should be exempt from such a restriction, and I propose to modify the terms of the Placemaking Priority accordingly.

Melness

11. The Crofting Commission supports the Plan's recognition of the important role that crofting plays in the community of Melness, and proposes no changes to the Plan.

Melvich

12. The Plan already states that development should seek to preserve the historic crofting settlement pattern in Melvich, but I agree with the Crofting Commission that it should also explicitly recognise the important role of crofting in the community, and I propose to adopt the planning authority's suggested wording to achieve that.

Portskerra

13. Portskerra has much in common with the neighbouring settlement of Melvich (above). The Plan already states that development should seek to preserve the historic crofting settlement pattern in Portskerra. However, I agree with the Crofting Commission that it should also explicitly recognise the important role of crofting in the community, and I adopt the planning authority's suggested wording to achieve that.

Rosehall

14. The River Oykel and its tributaries (including River Cassley at Rosehall, and the nearby Kyle of Sutherland) are designated as a Special Area of Conservation (SAC), due to the presence of freshwater pearl mussel and Atlantic salmon. SACs are international designations, which merit the highest level of protection. In that light, the Plan's Placemaking Priorities for Rosehall, to discourage development close to the SAC, and to require development between the road and the river to connect to mains drainage, appear to be necessary and appropriate, and should not be weakened. They are also consistent with the advice from Scottish Natural Heritage (SNH).

15. In any case, Rosehall is a small village with limited services, served by a mainly

single track road (A837), and there is likely to be modest scope for further development in the settlement. Accordingly, I do not propose to modify the Plan in response to the representation on behalf of Balnagowan Castle Properties.

16. The urgent need for superfast broadband is understood, but the problem is not unique to Rosehall. The Plan acknowledges that in some parts of the Plan area there is limited connectivity to high speed internet, and supports Highlands and Islands Enterprise's roll out of superfast broadband. I consider that this is the correct approach to the issue.

Scourie

17. The Plan notes that Scourie has retained a range of its traditional Highland forms like crofting rigs, and aims to safeguard the traditional crofting landscape in the centre of the village. I consider that these references are sufficient to address the point made by the Crofting Commission.

Reporter's recommendations:

I recommend that the following modifications be made:

Durness

1. Under the Durness section of Sutherland Growing Settlements, page 111, add two further Placemaking Priorities to read:

"Crofting in the parish of Durness should continue to be recognised as playing an important role for the community"; and

"Development should minimise the loss of traditionally crofted inbye land which provides suitable habitat for corncrake."

Kinlochbervie

2. Under the Kinlochbervie section of Sutherland Growing Settlements, page 114, amend the 4th Placemaking Priority on page 114 of the Plan to read:

"Direct development to infill sites, and prevent sprawl of the settlement into the surrounding countryside, unless there are justifiable reasons in terms of croft management."

Melvich

3. Under the Melvich section of Sutherland Growing Settlements, page 117, add a further Placemaking Priority to read:

"Crofting should continue to be recognised as playing an important role for the community".

Portskerra

4. Under the Portskerra section of Sutherland Growing Settlements, page 118, add a

further Placemaking Priority to read:

“Crofting should continue to be recognised as playing an important role for the community”.

Issue 27	**Other Issues Raised**	
Development plan reference:	Other issues raised	**Reporter:** Dilwyn Thomas

Body or person(s) submitting a representation raising the issue (including reference number):

Amanda Robertson (983266)
Amelia Walker (931321)
Bill Badger (967160)
David Doohan (980228)
Donald Mackay (981995)
Dunnet & Canisbay Community Council (962464)
Elizabeth Mackay (983255)

Provision of the development plan to which the issue relates:	Other issues raised

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

Site Numbering and MIR Comments

David Doohan (980228), Amelia Walker (931321), Donald Mackay (981995), Elizabeth Mackay (983255), Amanda Robertson (983266) - Questions why site numbers changed between the Main Issues Report and the Proposed Plan. This is not user friendly and has confused the general public. What has happened to the comments made on the MIR?

Publicity of Consultation

Amelia Walker (931321), Donald Mackay (981995), Amanda Robertson (983266) - Minimal effort has been put into advertising and publicising. It was mentioned in the local paper, but it was very small and was hidden away within the paper rather than on the front page. The bare minimum is being done by the Council to allow the public to view and comment on the Plan. The website is difficult to navigate and only allowing responses to be made online is discriminating against those who do not own a computer or are not proficient at using one. The views of local residents are being ignored or disregarded. The public should be given more time and easier access to the process.

Bill Badger (967160) - The policies of linking urban with rural and rural with rural are in the forefront of modern planning principles. Moves in this direction are to be applauded. They are surely the way ahead.

Dunnet & Canisbay Community Council (962464) - Dunnet and Canisbay Community Council feel the area covered by CaSPlan is too large.

Dunnet and Canisbay Community Council are disappointed that a public meeting was not held in the Community Council area.

Modifications sought by those submitting representations:

Amelia Walker (931321), Donald Mackay (981995), Amanda Robertson (983266) - Extend consultation period (assumed).

Summary of responses (including reasons) by planning authority:

Site Numbering and MIR Comments

With reference to the comments about changing site reference numbers, within Appendix A there is also a table showing the site referencing as it evolved from Main Issues Report to Proposed Plan stage. This site referencing table was also included as a supporting document to the Proposed Plan consultation. This was included to ensure that people would not be confused about the change in site referencing.

Comments on the Main Issues Report (MIR) (CD04) and on the Additional Sites and Issues Consultation were used to inform the Proposed Plan. The comments received were all made available on the Council's website, within the CaSPlan webpages. All comments and the Council's responses were also reported to the Planning, Development and Infrastructure Committee (Item 8 on 4 November 2015), shown within appendix A.

Publicity of Consultation

A Statement of Publicity and Consultation (CD08) was produced as a supporting document to the Plan and is available via the Council's consultation portal. It sets out how CaSPlan has been prepared in line with the consultation commitments the Council made in the Development Plan Scheme's Participation Statement. The Proposed Plan was on consultation for 8 weeks rather than the statutory 6 weeks. It was available to view on the Council's consultation portal and a paper copy was available to view in each pubic library and Council Service Point in the CaSPlan area. Public adverts were placed in the Northern Times and the John O'Groats Journal, it was publicised online through Facebook, Twitter and the Council's website. A series of press releases were also issued. Respondents to the MIR and Additional Sites and Issues consultations were directly notified and we wrote to everyone on our consultee database that has registered an interest in the CaSPlan area. We also notified everyone within 30 metres of an allocated site in the Plan, going beyond the minimum 20 metre Neighbour Notification requirement. We wrote to all Community Councils in the area asking them to help promote the consultation and to put the consultation on their meeting agendas. Planning Officers attended Community Council training events to promote the Proposed Plan consultation.

The consultation portal used for the Plan consultation is a new online consultation system. It provides an environment to interact with the plan and submit comments online. A user guide was available online which explained how to resister and make comments and information leaflet was also produced. Everyone was encouraged to submit comments via the portal but anyone who was unable to submit comments this way was provided with an alternative method to submit comments. Members of the CaSPlan team provided assistance in viewing and commenting on the Plan in the consultation portal to customers who contacted us.

The Caithness and Sutherland Local Development Plan (CaSPlan) is the second of three area local development plans to be prepared by the Highland Council. Together with the Highland-wide Local Development Plan and more detailed Supplementary Guidance,

CaSPlan will form the Council's Development Plan against which planning decisions will be made in the Caithness and Sutherland area.

No modifications or additional consultation measures are proposed by the Council.

Post Examination Amendments

The Council is minded to make several minor changes to the Plan and the glossary following the completion of the examination process. This includes making grammatical corrections and presentational amendments such as paragraph numbering.

Reporter's conclusions:

Site Numbering and Main Issues Report (MIR) Comments

1. The planning authority has used different site reference numbers in the MIR and the Plan. This can arise because the 2 documents are produced at different stages in the overall plan preparation process, and they serve different purposes, with the MIR showing the planning authority's preferred development sites and the reasonable alternatives, and the Plan setting out the authority's settled view on development sites. The planning authority has produced a table showing the changes made to the site references between the Main Issues Report and the Plan. By making this table available as a supporting document to the consultation undertaken on the Plan, I am satisfied that the planning authority took reasonable steps to make the general public aware of the changes in the site reference numbers.

2. Additionally, I am satisfied that, in preparing the Plan, the planning authority has appropriately taken into account the comments received from the public during the consultation on the MIR. The authority explains that Item 8 at the Planning and Infrastructure Committee meeting on 4 November 2015 included a report (Appendix A) which contained its response to the comments. The report summarises the comments received, sets out the interim position of the Area Committee, and gives the recommended response for the planning authority along with the proposed content for the Plan.

Publicity of Consultation

3. Representations relating to the publicity undertaken for the consultation stages of the Original Proposed and Modified Proposed Plans are dealt with in the Examination of Conformity with the Participation Statement section of this report.

4. Regarding other matters, the planning authority explains that the Plan is one of 3 area Local Development Plans which will, in due course, cover the whole of the authority's administrative area. Furthermore, the 3 plans will be supplemented by the Highland-wide Local Development Plan (HwLDP) and detailed Supplementary Guidance (SG). In my view, the generally remote rural area which the Plan covers, forms a reasonably coherent unit in which to consider the spatial implications of economic, social and environmental change, and to prepare a plan to guide the future use of land, promoting good placemaking. In these circumstances, I consider the size of the Plan area to be appropriate and not too large.

Post examination amendments

5. The planning authority indicates that it is minded to make minor amendments to the Plan and its Glossary once the examination is completed, e.g. grammatical corrections and presentational amendments. These are matters for the authority and fall outwith the scope of this examination.

Reporter's recommendations:

No modifications.

Issue 28	**Action Programme**	
Development plan reference:	Action Programme (separate document)	**Reporter:** Dilwyn Thomas

Body or person(s) submitting a representation raising the issue (including reference number):

Coigach Assynt Living Landscape (CALL)
Sportscotland

Provision of the development plan to which the issue relates:	Action Programme (separate document)

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

Dornoch Sports Centre

Sportscotland - Sportscotland is listed alongside the Council as a delivery partner (assumed to mean funder) in relation to the Dornoch Sports Centre, but has not had any discussion to date with the Council. Whilst Sportscotland is content to be listed as a potential source of funding and/or a potential partner with regard to providing design advice, it is not a committed funding partner and this should be clarified in the Action Programme.

Content with the reference to Sportscotland at 3.4 Thurso – Upgrading of Thurso Pool.

Coigach Assynt Living Landscape (CALL) - One submission was received on the updated version of the Proposed Action Programme which was published alongside the Modified Proposed Plan. Coigach Assynt Living Landscape (CALL) project provide corrections and clarifications in respect of the details of the project.

Modifications sought by those submitting representations:

Dornoch Sports Centre

Sportscotland - Clarify that Sportscotland is not a committed funding partner.

Coigach Assynt Living Landscape (CALL) - Make corrections and clarifications in respect of the details of the project.

Summary of responses (including reasons) by planning authority:

Dornoch Sports Centre

Following Committee decision in August 2016 to publish a Modified Proposed Plan we took this opportunity to make relevant updates to the Proposed Action Programme based on comments received and progress made with various projects throughout Caithness and Sutherland. This included making the amendments which Sportscotland had requested.

No further comments were made in relation to the matter at Modified Proposed Plan stage.

Coigach Assynt Living Landscape - The only submission received on the updated version of the Proposed Action Programme (published alongside the Modified Proposed Plan) was from the Coigach Assynt Living Landscape (CALL) project. They provided corrections and clarifications in respect of the details of the project which have been made to the Action Programme.

A supplementary comment about the Strategy Map has not been submitted as a representation on CaSPlan itself and therefore cannot be considered at this advanced stage of the plan process. However, this is unlikely to significantly affect the CALL project.

Additional Proposed Action Programme amendments

As outlined in Issue 15 'Growing Settlements – Caithness' comments were made at Modified Proposed Plan stage by Dunnet and Canisbay Community Council about reinstating a section of core path at John O Groats. At Caithness Committee on 14th February 2017 a Member queried whether reference to the proposal could be incorporated within the Plan. It was agreed that the most suitable place would be to include reference within the Aspirational List in the Proposed Action Programme.

In addition to the changes above, it may be noted that in response to comments made to the Plan we have also made the following changes to the Proposed Action Programme:

- HITRANS feasibility study of a sleeper service to Caithness
- Additional £5m added to the Strategic Timber Transport Fund (STTF) for transport improvements associated with timber haulage
- New leisure centre in Halkirk
- Far North Line Review Group set up to coordinate service improvements.

Reporter's conclusions:

1. This issue is concerned with representations received in relation to the proposed Action Plan for the Plan. This examination is restricted to considering representations to the Plan itself, and representations to the Action Plan fall outwith its scope.

2. Part of the representation from Coigach Assynt Living Landscape (CALL) relates to the Strategy Map on page 2 of the Action Plan, which has been taken from the Plan. Despite being given an opportunity, CALL has not submitted a representation on this matter to the Plan itself. In these circumstances, it has not been possible for me to deal with its concerns about the Strategy Map. However, I agree with the planning authority that, on the face of it, CALL's concern about the extent of the Area for Flexible Community led Development on the Strategy Map would be unlikely to significantly affect its operations which appear to involve landscape restoration projects.

Reporter's recommendations:

No modifications.