

## THE HIGHLAND COUNCIL

### PLANNING, ENVIRONMENT AND DEVELOPMENT COMMITTEE 14 AUGUST 2013

Agenda Item	11
Report No	PED 50/13

## NATIONAL PLANNING FRAMEWORK 3 MAIN ISSUES REPORT AND DRAFT SCOTTISH PLANNING POLICY

Report by Director of Planning and Development

### Summary

This report informs Committee of the Council's response to the Scottish Government's Main Issues Report for the Third National Planning Framework and Draft Scottish Planning Policy. The Committee is asked to homologate the Highland Council response to both documents that are contained in Appendix A.

### 1. Background

- 1.1. The National Planning Framework 3 (NPF3) Main Issues Report and Draft Scottish Planning Policy (SPP) were published by the Scottish Government for consultation on 30 April 2013. The consultation period lasted for 12 weeks ending on 23 July 2013. The Council response was submitted before the deadline on the understanding that any additions or amendments proposed by this Committee would be submitted before the end of August as requested by the Scottish Government's Chief Planner. The Council's response to both documents is contained in Appendix A. This is the last opportunity for the Council to make comment on the content of the documents before their final publication.
- 1.2. NPF3 sets the context for development planning in Scotland and provides a framework for the spatial development of Scotland as a whole. It sets out the Government's development priorities over the next 20-30 years and identifies national developments which support the development strategy. SPP is a statement of Scottish Government policy on how nationally important land use planning matters should be addressed across the country. Its purpose is to set out national planning policies which reflect Scottish Ministers' priorities for the development and use of land. Both NPF and SPP will have implications for the preparation of development plans and the determination of planning applications and appeals.
- 1.3. Members will recall that responses to earlier consultations on NPF3 and SPP were reported to PED Committee in November last year and January this year respectively. In respect of NPF3, members agreed a series of infrastructure and development projects to be nominated to the Scottish Government as

national developments. A number of the nominated national developments were submitted jointly with neighbouring authorities and partner agencies. In respect of SPP, members agreed to a number of key priorities for change, including issues surrounding wild land and onshore wind energy.

- 1.4. A further report was presented to the Planning, Environment and Development Committee in May this year that informed members of the publication of Main Issues Report for NPF3 and Draft SPP. It outlined the key issues raised in the documents relevant to the Highland area. At this meeting it was agreed to hold a members' workshop to discuss the consultations. Ten members participated in the workshop which was held on 24 June and covered the content and intended responses to each consultation.
- 1.5. Responses to the consultation were compiled with input from a range of specialist officers in the Planning and Development Service and TEC Services. The draft responses were also distributed to members of the PED Committee for comment prior to submission to the Scottish Government.

## **2. Key Issues Raised in Responses**

### *NPF3*

- 2.1. In summary, the response to NPF3 welcomes the inclusion of Inverness Airport, electricity grid reinforcements, long distance routes and onshore infrastructure for offshore renewable energy as proposed national developments. It also welcomes the identification of 'Areas of Coordinated Action' for Orkney, Pentland Firth & North Caithness and Inverness & Inner Moray Firth. However, it suggests that an additional Area of Coordinated Action needs to be identified along the North West Coast incorporating key developments in Highland, Argyll and Bute and Comhairle nan Eilean Siar. It expresses disappointment that the A9 and A96 were not identified in a way that reflects the Scottish Government's commitment to deliver these projects, and continues to press for their inclusion as national developments. Finally, there is also acceptance that other national developments nominated by Highland Council are sufficiently highlighted in NPF3 despite not being identified as proposed national developments.

### *SPP*

- 2.2. With regard to Draft SPP the response raises a number of key issues including:
  - Concern that weight given to economic benefits could influence the balance between economic benefits and environmental impact;
  - Greater encouragement for diversification of town centres rather than emphasis on retail;
  - Insufficient protection of the isolated coast;
  - In defining a generous housing land requirement a margin of 10-20% is too prescriptive – should enable a 25% margin;

- Delivery of affordable housing should not be limited to a maximum of 25% of the overall development;
- More positive reference to the role of local designations in safeguarding valued assets;
- Query explicit support to growth of the aquaculture industry;
- Seek recognition of pluvial flood risk areas and reference to drainage requirements;
- Concerns about the wide extent of wild land constraint (see appendix to SPP questionnaire); and
- Accept increase in community separation distance between communities and wind farms.

### 3. Process and Timescales

3.1. The Scottish Government's intended stages and timescales for review are outlined in the table below.

	<b>NPF3</b>	<b>SPP</b>
<b>Winter 2012/13</b>	Call for National Development and other key issues	Pre-draft engagement and drafting
<b>Spring 2013</b>	Publish NPF3 Main Issues Report	Publish Draft SPP and consultation
<b>Late 2013</b>	Submit Proposed NPF3 to Scottish Parliament	Publish finalised SPP
<b>Summer 2014</b>	Publish finalised NPF3	N/A

### 4. Resource Implications

4.1. It is not anticipated that there will be any direct resource implications for the Council.

### 5. Equality and Climate Change Implications

5.1. It is not anticipated that there will be any equality or climate change implications for The Highland Council. The Scottish Government are the responsible authority for undertaking the relevant equality and climate change assessments for NPF3 and SPP.

### 6. Legal and Risk Implications

6.1. It is not anticipated that there will be any legal or risk implications for The Highland Council. The Scottish Government are the responsible authority for assessing any legal and risk implications of NPF3 and SPP.

**Recommendation**

The Committee is asked to homologate the Council's response to Draft Scottish Planning Policy and National Planning Framework 3 Main Issues Report contained in Appendix A.

Designation: Director of Planning and Development

Date: 26 July 2013

Author: Lynn Clarke, Planner

Background Papers:

Scottish Government (2013) National Planning Framework 3 Main Issues Report

Scottish Government (2013) Draft Scottish Planning Policy



By e-mail only to: [npfteam@scotland.gsi.gov.uk](mailto:npfteam@scotland.gsi.gov.uk)

E-Mail: lynn.clarke@highland.gov.uk  
Direct dial: (01463) 702291  
Our Ref:  
Your Ref: N/A  
Date: 23 July 2013

Dear NPF Team,

## **National Planning Framework 3: Main Issues Report – Highland Council Response**

### **1. Introduction**

- 1.1. Thank you for inviting The Highland Council to provide comments on the National Planning Framework 3 (NPF3) Main Issues Report. As we wish to provide comments on questions posed in the consultation questionnaire as well as a number of additional comments we have chosen not to frame our response in the consultation questionnaire. Our response is set out below and begins by providing some general observations followed by comments based on the section headings of the document.
- 1.2. Several of our candidate national developments submitted in response to the 'Call for National Developments' exercise late last year were joint proposals of common interest to other Local Authorities, Strategic Development Planning Authorities and/or Regional Transport Partnerships. Whilst we are submitting an individual response to the current consultation, we have liaised with other relevant organisations in preparing this response and their support of our position is outlined where relevant.

### **2. General Comments**

- 2.1. It is disappointing that the 'reasonable alternatives' to the preferred options in the proposed framework are set out separately in the Environmental Report. Development Plans must present reasonable alternatives up front in the development plan and we would therefore expect a national planning framework to do the same to aid the transparency of the process.
- 2.2. Similar to Heads of Planning Scotland, we also feel that there should be a clearer and stronger link to the Government's cities agenda. We agree that this could be achieved with a greater focus on the seven Scottish Cities and their regions within NPF3, for example by articulating the key growth sectors for each city region, their transport connectivity priorities and providing a graphical representation of the key national assets and opportunities within the city regions. Inverness and the Highlands from a cohesive city/region and NPF3 should reflect the opportunities it presents.
- 2.3. The new style grey maps with colour coded themes are commended. However when viewing the document online in particular many of maps and diagrams lack a key and are therefore difficult to interpret. Furthermore the legibility of a number of the maps is unclear due to the scale used and the level of information being conveyed.

### **3. Spatial Strategy**

- 3.1. Section 1 of the document strives to be upbeat and positive throughout but this makes the document sound a bit one-dimensional and superficial in places. Some analysis should precede the prescription - a more objective assessment of Scotland's key strengths and weaknesses, opportunities and threats should precede 'the vision'. This would provide a sounder platform for generating the strategy and give more coherence to the prescriptions which follow.
- 3.2. The importance of sustaining a healthy natural environment is underplayed in the vision. In sections 1.12- 1.15, which flesh out "the four national priorities" via 30 bullet points, only a very limited number are explicitly environmental in their focus.
- 3.3. The fifth bullet of paragraph 1.12 outlines the Scottish Government's commitment to protect nationally important landscapes in the development of further onshore wind farms. This statement should not be limited to nationally important landscapes. There are many sensitive landscapes in Scotland outwith national designations (e.g. the regionally designated Special Landscape Areas in Highland) which are highly valued by local people. Wind farm developments which may damage the landscape value of such areas cannot be regarded as "sustainable economic growth".
- 3.4. The marine dimension of Scotland's territory is also underplayed in the strategy, other than as a backdrop for oil and gas production and offshore renewables developments. The sea is also important for food production, nature conservation, shipping, and recreation/tourism. It is the new development frontier of Scotland's extensive inshore waters and therefore there should be greater emphasis on this unique resource.
- 3.5. We also feel that NPF3 should provide more background on Scotland is before launching into the aspirational vision of what the Scottish Government would like it to be. We therefore feel that it would be more appropriate for Section 4 of the document to come before the existing section 2.

### **4. A Low Carbon Place**

#### *Question 1*

- 4.1. The role of Heat Mapping should be explicitly referred to in the NPF3 section on 'Heat', and whilst the key use of it as a tool in the planning system is likely to be to identify strategic opportunities for district heating and cooling specifically (as mentioned at paragraph 2.7), other potential uses of a well-developed heat map could also be referred to. The Action Programme for NPF3 could include the continuance of valuable work being undertaken at national level to coordinate and make available consistent key data to inform heat mapping at local authority level.

#### *Question 2*

- 4.2. The Council acknowledges the process that SNH has undertaken with respect to mapping of wildness qualities and wild land. We do have some concerns about certain aspects of the methodology, about how the outputs have been used to derive the 'core areas' mapping and about the policy constraint. We set out our specific concerns in more detail in an appendix to our response to Draft SPP which should be cross referenced to this response. Notwithstanding these comments, we welcome the effort being made to provide clarity about wild land as a constraint through mapping and clear guidance. Given the particular significance of this issue to Highland, we request to be further engaged in taking this process forward in advance of finalisation of NPF3 and SPP.

### *Question 3*

- 4.3. We agree that onshore infrastructure requirements of the first offshore wind developments, wave and tidal projects should be included in NPF3 as a national development (National Development number 1). However, if the national development is only intended to cover grid infrastructure, as the description would suggest, then the title of the national development should make this clear. In addition, on Map 3, the reference to “Potential Offshore Grid Upgrades” would be more accurate if it read “Potential Upgrades to Offshore Grid and Associated Onshore Infrastructure”. Whilst it is acknowledged that the maps in NPF3 are somewhat diagrammatic, you should ensure that the ‘balloons’ on Map 3 (and on the maps on pages 7 and 75) are drawn widely enough to cover the likely location of these developments. If the national development is in fact also meant to cover ports, harbours and/or related employment sites the ‘balloons’ indicating these areas should be drawn more widely; in particular the Moray Firth balloon would include the Caithness and Sutherland coast from Wick to Helmsdale, plus Nigg and Ardersier.
- 4.4. The reference at paragraph 2.25 of NPF3 to ongoing work by Marine Scotland preparing sectoral plans is noted. It would be preferable if the final version of NPF3 could be aligned with those. With respect to paragraph 2.26, second bullet point, whilst the specific referencing of ports and Enterprise Areas is helpful, the potential role of other sites to support the emergent industry should be referred to in NPF3. We agree with the idea, at paragraph 2.28, that connections could be focussed on a limited number of key hubs to avoid a proliferation of coastal landfalls and would welcome national coordination of this with input from the Council; it will be important however that this strategic planning is not left entirely to the long term.

### *Question 4*

- 4.5. There would be merit in NPF3 designating a range of projects which help strengthen energy security.

### *Question 5*

- 4.6. We agree that it is important to identify electricity grid reinforcements as national development and that the suite be updated where necessary to reflect the latest anticipated requirements. We therefore welcome National Development number 2 – Grid Infrastructure Enhancements. However, there should be consistency in the title of the national development between paragraph 2.46 and the map on page 75. We note that National Development number 1 is also relevant to this section of the document and should be clearly cross-referenced.

### *Question 6*

- 4.7. Production of a focussed strategy through NPF3 should help increase confidence to facilitate planning and investment in sites identified in the National Renewables Infrastructure Plan. However it is not felt that enough emphasis is given to the potential of west coast sites of Kishorn and Arnish. To help facilitate investment in these sites it is felt they would benefit from being identified within an additional Area of Coordinated Action that is focussed on a number of development opportunities on the north west coast that encompasses areas of Highland, Argyll and Bute and Comhairle nan Eilean Siar. Further information on this potential additional area of coordinated action is provided in section 8.
- 4.8. With respect to the National Renewables Infrastructure Plan (NRIP), NPF3 states that further information on Stage 2 will be available in due course; it would be helpful if NPF3 could reflect more advanced information on NRIP before being finalised. The role of EMEC, initiatives such as the Nigg Skills Academy and the potential role of smaller ports and harbours not individually identified in the document should be referred to in NPF3.

### *Other Comments*

4.9. It is noted that paragraphs 2.7 and 2.8 highlight that a number of different sectors, development types and management regimes have a part to play in achieving a Low Carbon Place. However, these potential uses may sometimes be competing for the same land (e.g. onshore wind energy competing with woodland planting) and NPF3 should therefore give a clearer steer as to how those interests might be balanced or where the priorities lie.

### *Reducing Energy Demand*

4.10. Paragraph 2.9 should be expanded to explain in more detail how the aim of improved energy efficiency has been woven into the strategy of NPF3 and it should be more explicit about how energy efficiency can be delivered. It currently focuses mainly on housing development but non-housing developments should also be addressed.

### *Community Ownership*

4.11. The section on community ownership of renewables is noted and supported, but we would draw attention to our comments on the draft SPP regarding the need to clearly distinguish between different types of community involvement in schemes, as well as being clear about what are legitimate planning considerations.

### *Further Opportunities in the Oil and Gas Sector*

4.12. The reference to emerging opportunities such as shale gas and coal bed methane are noted; whilst we are content with that reference, we would stress the need for national technical guidance to assist with consideration of proposals in these emergent sectors.

### *Other Issues: Hydro*

4.13. It is disappointing that there is no specific reference in NPF3 to the role of hydro generation. This technology continues to be important to energy supply and in meeting targets, both in terms of large and small schemes. This should be explicitly recognised and supported in NPF3.

## **5. A Natural Place to Invest**

### *Lochaber/Fort William*

5.1. The potential for NPF3 to highlight areas where tourist potential could be further developed such as the hubs for outdoor sports that have grown in places such as Fort William is supported. Recognition should be given in NPF3 to the role of the wider Lochaber area as 'Outdoor Capital of the UK', focusing on the area becoming an internationally renowned outdoor destination for activities including skiing, mountain biking, sailing, climbing. Emphasis should also be given to the growing recreational potential of the Caledonian Canal as a destination for boaters, walkers, cyclists and paddlers. This area should be considered a key national asset and be mapped as such.

### *Question 9*

5.2. The Highland Council supports the designation a national network of long distance routes as a national development. We recognise the role they play as a key recreational resource and significant tourism opportunity. We welcome the concept of a strategic overview of Scottish route incorporating the long distance routes and support the concept that they might serve several purposes. We consider that an overview should address the sustainable management of existing and new routes. It is noted that Scotland's Great Trails has started this process already and its approach is seen as one way forward.



- 5.3. The National Cycling and Walking Network is currently shown as series of green dots covering the entire country on the Spatial Strategy map. It is considered that the current representation cannot be meaningfully interpreted. Once new links are prioritised an indicative alignment of these routes should be mapped instead.

#### *Question 10*

- 5.4. We note that NPF3, at paragraph 3.29, considers that there is a need to maintain a flexible, market-driven approach to provision for the waste and resource management sector. Whilst we accept that the market can deliver many aspects of waste management, economics in dealing with certain waste and recycling streams may suggest a need for intervention and joint procurement, including in some cases on a scale beyond joint arrangements with immediately adjoining neighbours. The Council is currently reviewing its municipal waste management strategy and this may help point towards such needs. Therefore, whilst we accept that if such needs have yet to be identified they should not be included as national developments in NPF3, Scottish Government should be open-minded to identifying these in the future. In short, there could be a need for both a generally decentralised approach and more strategic waste facilities. In the meantime, we would suggest that in respect of any particular individual future proposal for a waste management facility, no 'national need' principle has yet been established. It would also be useful for NPF3 to refer to the range of waste management technologies available, in particular anaerobic digestion which has a useful part to play as part of a sustainable waste management network.
- 5.5. If NPF3 were to pursue sustainable catchment management on a broader, national level approach certain issues must be borne in mind: firstly to achieve added value to planning whilst avoiding duplication with other planning and management requirements and initiatives, and secondly to ensure suitability of the approach to rural areas as well as urban.

## **6. A Successful Sustainable Place**

### *Sustainable Economic Growth*

- 6.1. In the Council's submission to the 'Call for National Developments' and other key issues the importance of recognising the potential to strengthen the role of Inverness as a gateway to the Highlands was emphasised as a key issue for NPF3. We support the greater recognition given to Inverness in the Main Issues Report, in particular its identification as a hub for the Highlands and Islands and in the Inverness and Inner Moray Firth Area of Coordinated Action.
- 6.2. The reference to Enterprise Areas in NPF3 is supported. However on a matter of detail paragraph 4.17 states 4 Enterprise Areas have been identified; it would be clearer if it stated that 4 types of Enterprise Areas comprising 15 strategic sites have been identified across the country.

### *Sustainable Settlement Strategy*

- 6.3. Paragraph 4.22 provides an overview of the settlement strategy for six of Scotland's seven cities. An important omission in this paragraph is any reference to Inverness, whereby it is also working to accommodate growth in a way that does not compromise its character and identity and is responding to key infrastructure challenges. In particular the development of the West Link Road which will reduce congestion and open new areas of development. This should be recognised in a sustainable settlement strategy in NPF3.

### Question 11

- 6.4. Other large scale projects, for example the new Beechwood Campus in Inverness and Inverness Airport Business Park/Tornagrain new town could be included as national developments.

### Question 12

- 6.5. The approach to green networks generally is welcomed and the change in emphasis to green networks as a tool for addressing deprivation is supported. It is questioned why a Scotland-wide Green Network is not brought forward as a national development rather than just focused on the Central Scotland Green Network (CSGN) as this tool/mechanism is being used elsewhere (including Highland) and it may be suitable to look at cross-area green network linkages. This is particularly pertinent as moves are being brought forward to create and promote a North East Scotland Green Network. If NPF3 continues to allocate CSGN as a national development then there should be a series of deliverable outputs focusing on the development of active travel, vacant and derelict land and projects in areas of deprivation.
- 6.6. The proposal to remove the National Development Status for the Commonwealth Games Facilities is noted. Through other approaches in the National Planning Framework there are opportunities to interweave health promotion with sustainable economic growth.

## 7. A Connected Place

### *Strategic Road Improvements*

- 7.1. The Highland Council, along with a number of other affected local authorities, regional transport partnerships and Aberdeen City and Shire Strategic Development Planning Authority promoted dualling of the A96; dualling of the A9 between Perth and Inverness; A9 improvements between Inverness and Thurso and A82 improvements as national developments. NPF3 does not identify any road improvements as proposed national developments. The Highland Council, along with the authorities listed above are disappointed that these key road improvement projects have not been identified as proposed national developments and continues to press for their inclusion as national developments for the reasons described below.
- 7.2. The Assessment of Proposed National Developments Report states that these strategic road projects are not identified as national developments due to many of them having already been identified in the Government's Infrastructure Investment Plan. It is appreciated that for the A9 and A96 there is a Ministerial commitment for the dualling of these roads to be delivered within a specified timeframe and a level of funding has been committed. However, for the most part, these projects are not committed in land use terms as they are not identified in development plans and do not have planning permission or other required consents. It is therefore considered that there would be significant merit in designating these roads projects for the purpose that national developments are designated for – to facilitate developments through the consenting process. Through designating the dualling of the A9 and A96 as national developments this would prevent the principle being debated during the consenting process. We are aware of a number of other roads projects that have been significantly delayed due to hold ups during the consenting process. As explained in our submission to the 'Call for National Developments' The Highland Council, along with several other relevant public bodies consider the dualling of the A9 and A96 would bring benefits and opportunities would be achieved by this upgrade: economic growth; improved road safety; improved journey times and reliability; improved access to tourism and recreation sites and improved links to pedestrian, cycling and public transport facilities.
- 7.3. We welcome the reference to reviewing the need for further investment in transport infrastructure to remote rural areas, such as the A9 from Scrabster to Inverness. It is an

essential link connecting the communities of the Orkney Islands, Caithness and Sutherland with the areas economic hub of Inverness and the wider markets beyond. We consider it is important that this reference is also made in the Proposed NPF3, and would benefit from providing further detail of targeted improvements including route realignment at Berriedale Braes; the delivery of a route action plan to provide climbing lanes and other improvements between Tore and Dornoch Bridge. Other targeted improvements further north such as route widening and increased overtaking opportunities to significantly improve road safety, journey times and journey reliability should also be identified.

7.4. The Main Issues Report notes that the A82 is a particular route that requires targeted intervention to maintain essential links to rural communities and businesses and that this is already recognised by Transport Scotland. This is welcomed given the A82 is the main traffic corridor for the transport of people, goods and services in and out of the West Highlands, Skye and the Western Isles to the wider Highland area and south to Glasgow and the Central Belt. However it is felt that the priority for upgrading this route could be raised through the identification of it as part of additional 'North West Coast' Area of Coordinated Action, further details are set out in section 8.

### *Strategic Rail Improvements*

7.5. There is a case for greater recognition of planned rail investment on the Highland Mainline and Inverness – Aberdeen line. These projects together with the EGIP (Edinburgh to Glasgow Improvement Package) were recognised as the main priorities for investment in Scotland's rail infrastructure in Strategic Transport Projects Review and they should be recognised as such in NPF3 to ensure that they remain the main focus in delivery terms for the next major rail investment after completion of the Borders Railway and EGIP. These investments can bring truly transformational benefits for the movement of passengers and freight between Scotland's cities. They should assume a greater urgency in the next planning period than longer term developments including High Speed Rail. Consideration should be given to electrification of the Highland Mainline and Inverness – Aberdeen lines which will help tap into the vast renewable energy generation potential of the Highlands and Islands and allow this to decarbonise these rail corridors.

### *Digital Infrastructure*

7.6. While the focus on reducing the need to travel is welcomed we feel that there should be a greater emphasis on the role of enhanced broadband provision for areas such as Highland, where this is crucial to supporting our more remote and fragile communities. In particular it can:

- Reduce the need to travel;
- Create linkages for communities and businesses; and
- Enable better access to, and opportunities for, the electronic delivery of services such as those provided by the Local Authority but perhaps more importantly digital healthcare

7.7. The project being taken forward by HIE, in partnership with others, will deliver faster broadband to over 156,000 homes and businesses in the Highlands and Islands and require the development of a robust, future-proofed infrastructure network. This involves a total project cost of £146m (including a £127m contribution from the public sector) and it is estimated that this will lead to a £70m boost to the local economy. An agile approach is being taken to deliver greatest coverage, highest speed, lowest cost in the shortest timescale, which will in turn deliver best value for money. Beyond this HIE will be working in partnership with The Scottish Government and local communities to look for opportunities to extend fibre coverage using the HIE Innovation Fund and Community Broadband Scotland Funding. This project is also complemented by both local and national projects which have a beyond regional scale remit and benefits including the Mobile Infrastructure Project, IT Engagement Programme, Demand Stimulation, Digital Participation and Enterprise Areas.

7.8. It is important that NPF3 emphasises the need for short term delivery of next generation broadband across the entire Highlands and Islands area.

*Question 16*

7.9. The Highland Council welcomes the proposed national development status for the enhancement of Inverness Airport. The facility is a vital connections node for the growth of the A96 Corridor, the surrounding Highlands and the national economy in terms of air freight exports, international tourism and business development.

7.10. The MIR notes that there are proposals to improve connections to, and facilities within, Dundee and John O'Groats Airports/Wick Airports, and the prospect of a new airstrip on Skye. Please note the correct name for the northern airport is Wick John O'Groats Airport – and not John O'Groats/Wick Airport. It is also noted that Wick John O'Groats Airport is shown as a regional airport in the 'Connected Place' graphic. Whilst the reference to these airports is welcomed, it is felt that NPF3 should give them greater emphasis. Air traffic has continued to grow at Wick John O'Groats Airport largely as a result of oil-related activities. The airport also is well placed to service the growing renewables industry, in particular offshore wind farms and wave and tidal energy. The airport will play an integral role in the development of the Orkney, Pentland Firth and North Caithness Area of Coordinated Action.

7.11. With regards to the prospect of Airport in Skye a feasibility study was published in March 2013 which found a forecast demand of 21,500 passenger per year and four options for creating the infrastructure and the minimum capital investment required, ranging from £2.3m to £15.3 million. There is wide support for the development of an airport from the Council, HITRANS and Highlands and Islands Enterprise. It is therefore considered that NPF3 should give greater support to the development of an airport in Skye, and its inclusion in an additional 'North West Coast' Area of Coordinated Action. The bid for a 'North West Coast' Area of Coordinated Action is explained in section 8.

7.12. While retaining the current national development for high-speed rail is supported, any suggestion of expanding its terms needs to be treated with extreme caution. While generally supportive of the current national development, there is already a project to spend £750m on the rail system between Edinburgh and Glasgow. The costs and benefits of any additional high-speed rail project need to be set against other projects before this decision is made. For example, the Highland Mainline between Inverness and Edinburgh / Glasgow is slow and even allowing for the planned investment identified in Strategic Transport Projects Review and Infrastructure Investment Plan it will remain quicker to undertake a long-distance journey between Inverness and the central belt by car than train. There are no plans for electrification of this route and we believe this should warrant the same consideration as any new High Speed Rail Infrastructure investment and would do more to deliver a decarbonised transport system.

*Other Comments*

7.13. Map 25 does not need to show every harbour as it makes it difficult to identify which are the important ones, i.e. many harbours have very limited/no economic activity and these should not be included. Others ports such as Wick and Scrabster appear to be illustrated in the same way as the smaller harbours despite being major hubs for various industries including renewables (onshore wind), timber, oil and gas etc.

## **8. Areas of Coordinated Action**

*Area 1: Orkney, Pentland Firth and North Caithness*

8.1. The Highland Council welcomes the identification of a much larger Area of Co-ordinated Action covering parts of Orkney, Pentland Firth and North Caithness in comparison to NPF2. With regards to the opening paragraph for Area 1 on page 66 although it is correct to note the issues (decommissioning of Dounreay) and constraints (historic environment) in the area, we would request that NPF3 should also highlight the opportunities (renewables/energy) and strengths (workforce, economic base) which will continue to exist. The area benefits from a highly skilled workforce including a range of engineering expertise, the highest levels of health and safety and working with hazardous materials skills etc. The current workforce of Caithness, together with the continuing development of grid improvements etc., means that the region will play a leading role in the future of the renewables/energy industry in Scotland. This should be recognised in NPF3 in order to ensure that the skilled workforce is retained and not diverted elsewhere and to promote the wider benefits of inward investment, e.g. existing engineering base, proximity to wave, tidal and offshore wind sites. The area is also well placed to serve oil and gas development to the west of Shetland.

*Area 2: Inverness and the Inner Moray Firth*

8.2. The Highland Council also welcomes the continued identification of Inverness and the Inner Moray Firth as an Area for Co-ordinated Action. As stated, it is an area identified for major change and investment. The specific, additional reference to West Link is welcomed but this should perhaps be broadened to include other strategic, Inverness City, transport improvements. For example the STPR and IIP includes an A9/A96 connection improvement as mentioned in section, we feel should be given greater emphasis. All these strategic City transport improvements are to facilitate sustainable economic growth without compromising placemaking objectives. For example, West Link will allow the creation of new communities in the city whilst reducing city centre congestion and environmental impacts.

*Additional Area of Coordinated Action: North West Coast*

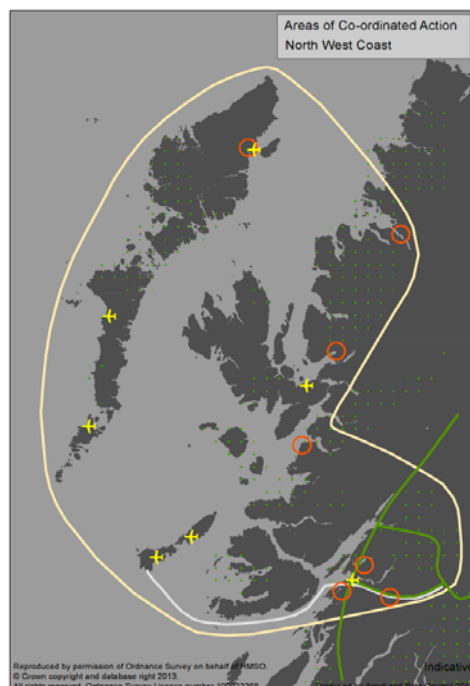
8.3. In common with Argyll and Bute Council and Comhairle nan Eilean Siar we feel that NPF3 fails to recognise the significant potential that Scotland's North West coast can contribute to the sustainable economic growth of Scotland. The proposed national developments and areas of coordinated action are distinctly focussed on the east coast and the central belt. As such, the Highland Council consider that an additional Area of Coordinated Action should be included in the Proposed NPF3 that focuses on the North West coast of the country. Argyll and Bute Council and Comhairle nan Eilean Siar have confirmed they are supportive of this proposal. We are aware that both these Councils intend to present similar proposals demonstrating that many of the issues are connected and require coordinated action to address them.

8.4. The indicative area we wish to be included in an additional North West Coast Area of Coordination Action is shown below.

8.5. The area encompasses the neighbouring coastal parts of Highland, Argyll and Bute and Comhairle nan Eilean Siar. It would stretch from Oban in the south, through Mallaig/Arisiag, up to Ullapool to the north, and including the island chain of the Outer Hebrides.

8.6. The area would be focussed on a number of development opportunities including:

- Regeneration/enhancement of Ports and Harbours at Kishorn, Arnish and the Lorn Arc;
- Electricity grid reinforcements between Lewis to Ullapool and Tiree and Dalmally;



- Offshore renewables;
- Oban and Skye Airports;
- Improvements to the A82 and A85 trunk roads;
- Enhanced sea link network; and
- Strategic tourism related developments.

8.7. The National Renewables Infrastructure Plan (N-RIP) positions Kishorn and Arnish as key locations that can play an important role in support the development of a globally competitive offshore renewables industry based in Scotland. They form part of a West Coast cluster and together provide locations attractive to the supply chain for offshore renewables infrastructure. Arnish was also identified by the Scottish Government as an Enterprise Area. The Lorn Arc project is an ambitious £20 million proposal to improve marine and road infrastructure in the Lorn area. The proposal covers Oban, Dunstaffnage, Dunbeg, North Connel and Barcaldine.

8.8. The upgrading and reinforcing of the existing electricity transmission network, including new links, is vital to unlock the potential growth of renewable energy generation on the west coast and the expansion of onshore wind and hydro. Improvements to the grid are also vital to allow the area to contribute to meeting national renewable energy targets. Key links on the North West coast that should be identified in the area of coordinated action include a subsea power cable between Lewis and Ullapool and Tiree and Dalmally.

8.9. The area contains a nationally significant marine resource in terms of offshore wind, tidal and wave energy. A number of major offshore renewables projects have been permitted and planned in the area including the world's largest commercial wave farm off the north-west coast of Lewis.

8.10. Oban Airport operates a limited number of scheduled services to neighbouring island communities. Momentum is building for the possible reintroduction of air links to Skye. A feasibility study was published in March 2013 which found a forecast demand of 21,500 passenger per year and four options for creating the infrastructure and the minimum capital investment required, ranging from £2.3m to £15.3 million. There is wide support for the development of an airport from the Highland Council, HITRANS and Highlands and Islands Enterprise. It is important that NPF3 recognises the investment made by relevant Councils and partner organisations to enable further investment to develop these airports and allow them to link to a wider Highlands and Islands network to aid connectivity of coastal communities with the rest of Scotland and beyond.

8.11. The A82 and A85 form the main traffic corridors for the transport of residents, visitors, good and services in and out of West Highlands, from nearby islands and then south to Glasgow and the wider central belt. Much of the route fails to meet modern standards for carriageway width and this brings with it issues of maintenance, congestion, traffic safety and traffic flows which impact on the economic growth potential for the wider area. Significant investment and improvements to the A82/A85 are therefore required to allow the proper functioning of the route as a strategic transport links serving the West Highlands and Islands.

8.12. Tourism makes a significant contribution to the economy of Scotland's North West coast. Many visitors take advantage of the numerous outdoor activities on offer in the area, particular tourism 'hot spots' include Fort William and the wider Lochaber area, Skye, Oban, Mull and the Outer Hebrides. There are significant opportunities to develop additional tourism accommodation and to improve visitor attractions and experience in the area. Long distance walking/cycling routes are also an important recreational resource for the development of tourism. In particular the Hebridean Way is a key 'missing link' in the network and would expose the significant nature-based assets of the Hebrides to a new audience while maximising the economic benefits that can be derived from this resource.

8.13. Ferry links provide an essential transport link for many remote and fragile island communities and are essential to the social and economic sustainability of these communities. We support an enhanced sea link network to and from the islands, with the re-establishment of a link between Lochboisdale in South Uist and Mallaig. The re-establishment of this ferry link would facilitate a reduction in travel times to market for locally produced goods and for people travelling to and from the mainland, and also to shorten distances between Uist and major destinations on the mainland resulting in lower carbon emissions. Additionally, this could further boost the economic impact of the investment in the road network between Mallaig and Fort William.

8.14. The key issues in this area include:

- Building long-term community, economic and infrastructure resilience – in relation to addressing population decline and fragile areas
- The importance of tourism to the current and future economy
- Improved grid connection, broadband connections and mobile phone coverage
- Lifeline roads, airports and ferry services/facilities
- Retaining/upholding the population and particularly young people
- The importance of aquaculture to the economy
- The importance of the emerging off shore renewables industry

*Additional Area of Coordination Action: Island Arc*

8.15. We also support the promotion of an 'Island Arc' area of coordinated action which relates to tackling issues relevant to the islands Councils including Argyll and Bute, Comhairle nan Eilean Siar, Orkney and Shetland and the islands of our area. It is understood the relevant Councils are preparing a more detailed bid outlining key projects and opportunities in this area.

## **9. Conclusion**

9.1. We trust the above response will be given full consideration by the NPF Team and look forward the publication of NPF3 Proposed Plan later this year. If you require any further clarification of the issues raised in this response please do not hesitate to contact myself or our Development Plans Manager Scott Dalgarno.

Yours sincerely,

Malcolm MacLeod  
Head of Planning and Building Standards

## Draft Scottish Planning Policy : Consultation Questionnaire

### Responding to this consultation paper

We are inviting written responses to this consultation paper by Tuesday 23<sup>rd</sup> July 2013.

Please send your response with the completed Respondent Information Form (see 'Handling your Response' below) to:

[sppreview@scotland.gsi.gov.uk](mailto:sppreview@scotland.gsi.gov.uk)

or

SPP Review Team  
Area 2H, Victoria Quay  
Edinburgh. EH6 6QQ

If you have any queries contact:

Helen Wood, Principal Planner    0131 244 7534    [helen.wood@scotland.gsi.gov.uk](mailto:helen.wood@scotland.gsi.gov.uk)  
Carrie Thomson, Senior Planner    0131 244 7529    [carrie.thomson@scotland.gsi.gov.uk](mailto:carrie.thomson@scotland.gsi.gov.uk)

We would be grateful if you would use the consultation questionnaire or could clearly indicate in your response which questions or parts of the consultation paper you are responding to as this will aid our analysis of the responses received.

The consultation, and all other Scottish Government consultation exercises, can be viewed online on the consultation web pages of the Scottish Government website at <http://www.scotland.gov.uk/Consultations/Current>.

The Scottish Government has an email alert system for consultations, <http://register.scotland.gov.uk>. This system allows stakeholder individuals and organisations to register and receive a weekly email containing details of all new consultations (including web links). It complements, but in no way replaces Scottish Government distribution lists, and is designed to allow stakeholders to keep up to date with all SG consultation activity, and therefore be alerted at the earliest opportunity to those of most interest. We would encourage you to register.

### Handling your response

We need to know how you wish your response to be handled and, in particular, whether you are happy for your response to be made public. Please complete and return the **Respondent Information Form** which forms part of the consultation questionnaire as this will ensure that we treat your response appropriately. If you ask for your response not to be published we will regard it as confidential, and we will treat it accordingly.

All respondents should be aware that the Scottish Government are subject to the provisions of the Freedom of Information (Scotland) Act 2002 and would therefore have to consider any request made to it under the Act for information relating to the responses made to this consultation exercise.



## **Draft Scottish Planning Policy : Consultation Questionnaire**

### **Next steps in the process**

Where respondents have given permission for their response to be made public and after we have checked that they contain no potentially defamatory material, responses will be made available to the public in the Scottish Government Library (see the attached Respondent Information Form). You can make arrangements to view responses by contacting the Scottish Government Library on 0131 244 4552. Responses can be copied and sent to you, but a charge may be made for this service.

### **What happens next?**

Following the closing date, all responses will be analysed and considered along with any other available evidence to help us finalise the document. We aim to publish the finalised Scottish Planning Policy before the end of 2013.

### **Comments and complaints**

If you have any comments about how this consultation exercise has been conducted, please send them to the contact details above.

### **The Scottish Government Consultation Process**

Consultation is an essential and important aspect of Scottish Government working methods. Given the wide-ranging areas of work of the Scottish Government, there are many varied types of consultation. However, in general, Scottish Government consultation exercises aim to provide opportunities for all those who wish to express their opinions on a proposed area of work to do so in ways which will inform and enhance that work.

The Scottish Government encourages consultation that is thorough, effective and appropriate to the issue under consideration and the nature of the target audience. Consultation exercises take account of a wide range of factors, and no two exercises are likely to be the same.

Typically Scottish Government consultations involve a written paper inviting answers to specific questions or more general views about the material presented. Consultation documents are placed on the Scottish Government web site enabling a wider audience to access the papers and submit their responses<sup>1</sup>. Consultation exercises may also involve seeking views in a number of different ways, such as through public meetings, focus groups or questionnaire exercises. Copies of all the written responses received to a consultation exercise (except those where the individual or organisation request confidentiality) are placed in the Scottish Government library at Saughton House, Edinburgh (K Spur, Saughton House, Broomhouse Drive, Edinburgh, EH11 3XD, telephone 0131 244 4565).

The views and suggestions detailed in consultation response are analysed and used as part of the decision making process, along with a range of other available information and evidence. Depending on the nature of the consultation exercise the responses received may:

---

<sup>1</sup> <http://www.scotland.gov.uk/consultations>

## **Draft Scottish Planning Policy : Consultation Questionnaire**

- indicate the need for policy development or review
- inform the development of a particular policy
- help decisions to be made between alternative policy proposals
- be used to finalise legislation before it is implemented

Final decisions on the issues under consideration will also take account of a range of other factors, including other available information and research evidence.

**While details of particular circumstances described in a response to a consultation exercise may usefully inform the policy process, consultation exercises cannot address individual concerns and comments, which should be directed to the relevant public body.**

# Draft Scottish Planning Policy : Consultation Questionnaire

## RESPONDENT INFORMATION FORM

This is to ensure that we handle your response appropriately.

### 1. Name/Organisation

Organisation Name

The Highland Council

Title Mr  Ms  Mrs  Miss  Dr  *Please tick as appropriate*

Surname

MacLoed

Forename

Malcolm

### 2. Postal Address

Planning and Development Service

The Highland Council Headquarters

Glenurquhart Road

Inverness

Postcode IV3 5NX

Phone 01463 702291

Email

### 3. Permissions - I am responding as...

Individual

/

Group/Organisation

*Please tick as appropriate*

(a) Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government web site)?

*Please tick as appropriate*  Yes  No

(b) Where confidentiality is not requested, we will make your responses available to the public on the following basis

*Please tick ONE of the following boxes*

Yes, make my response, name and address all available

or

Yes, make my response available, but not my name and address

or

Yes, make my response and name available, but not my address

(c) The name and address of your organisation **will be** made available to the public (in the Scottish Government library and/or on the Scottish Government web site).

Are you content for your **response** to be made available?

*Please tick as appropriate*  Yes  No

(d) We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

*Please tick as appropriate*  Yes  No

## Draft Scottish Planning Policy - Consultation Questionnaire

Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

### PRINCIPAL POLICIES

- 1 Sustainable Economic Growth** **Y** **N**
- Do you think that the measures outlined in paragraphs 15 to 23 are appropriate to ensure that the planning system supports economic recovery and sustainable economic growth?
- Are there other measures to support sustainable economic growth that you think should be covered in the SPP?

The draft SPP proposes that the planning system should attach 'significant weight' to the economic benefit of proposed developments, particularly jobs. We are concerned that economic benefit will vary dependant on the location and scale of individual planning applications. The term 'significant' is difficult to define and therefore open to challenge. A more proportionate and balanced assessment would be preferable rather than giving primacy to economic considerations, given these may be short term, whereas environmental considerations are often longer-term.

By proposing that economic benefit should be treated as a material consideration in planning decision-making, SPP could undermine the plan-led approach and make it inconsistent with the Government's planning reform agenda. Consideration should be given as to whether appropriate local thresholds should be established before applicants are required to provide additional economic information to enable decision-makers to fully assess the economic benefits. The current draft suggests all applications are required to submit this information regardless of scale of development.

We are also concerned that planning authorities do not have the resources or expertise to analyse economic assessments and that there is no mechanism to monitor or enforce the number of new jobs created by a development.

- 2 Location of New Development – Town Centres** **Y** **N**
- Do you think that local authorities should prepare town centre health checks, as set out in paragraph 55?
- Are there other health check indicators you think should be included in the SPP?

Yes town centre health checks are a useful way of measuring the vitality and viability of town centres and can help form an evidence base for development plans. There are however resource implications of undertaking health checks which may mean they are difficult to undertake on a regular basis.

- 3 Location of New Development – Town Centres** **Y** **N**
- Do you think that local authorities should prepare town centre strategies, as set out in paragraph 56?

## Draft Scottish Planning Policy - Consultation Questionnaire

Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

There is potential for duplication with other initiatives such as the work of Business Improvement Districts. Therefore this should not be a specific requirement of national policy. Development briefs and framework plans are a more targeted and flexible policy mechanism for delivering change.

### 4 Location of New Development – Town Centres

Do you think the town centre first policy should apply to all significant footfall generating uses and the sequential test be extended to this wider range of uses, as outlined in paragraphs 63 to 67?

Y N

An alternative would be to apply the sequential test to retail and 'all' leisure development, no longer limiting leisure to 'commercial' development. Do you think this is the appropriate approach?

Non-commercial leisure development includes gyms, sports centres and even sports pitches. Directing these uses to town centres may not be appropriate in all cases. National policy should be positive and flexible to encourage diversification in town centres to uses which generate non-retail footfall. Coercion will not be effective. The proposed policy would only be practicable if "town centres" are defined to include "centres" including neighbourhood and significant sports/leisure facility areas. The aim of the revised SPP is laudable but it would be better to apply a simple national planning policy principle that would apply to all development proposals of minimising unnecessary non-active travel. In other words, assess every planning application on how well it fits with (or promotes) a pattern of land use that maximises accessibility to facilities (commercial and other) and minimises non-active travel.

### 5 Location of New Development – Rural Development

Do you think the approach to spatial strategies for rural areas outlined in paragraphs 68 to 71 is the appropriate approach?

Y N

The Council has a number of policies relating to considerations for rural development. In relation to business development and related housing needs the Council adopts a 2 tier approach to this form of development. Within the area identified as hinterland (areas under commuting housing pressure) our policies provide opportunities for housing development where it is tied to a legitimate rural business, whilst also supporting tourist related development. General housing demands in these areas can be met where spare capacity within a pre-existing housing group is identified. In addition opportunities are available in the redevelopment and conversion of existing buildings and "brownfield" sites where a net environmental benefit can be secured. All approaches require careful siting and design in relation to a rural location. The Council's primary approach to housing development in these areas is to direct the majority of development to existing settlements.

## Draft Scottish Planning Policy - Consultation Questionnaire

Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

In more remote areas a more permissive approach to housing development is allowed, however this is also underpinned by the need to carefully consider issues such as location and siting and design of proposals. This existing approach reflects that proposed in SPP.

### BUILDINGS

#### 6 Housing

Do you think explaining a 'generous' housing land supply as allowing an additional margin of 10 to 20%, as set out in paragraph 85, is the appropriate approach?

Y N

An alternative would be to state that a generosity factor should be added to the land supply, and that this may be smaller in areas where there can be confidence that the sites identified in the plan will be developed in the plan period, and larger in areas where there is less confidence in the deliverability of the land supply. Do you think this is the appropriate approach?

Agree in principle but with some clarification on the detail of some of the wording used in paragraph 85.

The Highland approach is to:

- (1) Calculate the housing requirement (including a small allowance for ineffective stock; vacancies, second / holiday homes etc);
- (2) Add a margin of 25% (historic practice – see below) to the housing requirement to give choice and flexibility in matching housing to economic development;
- (3) We do not attempt to convert to a land requirement to land at this stage using generic factors: we express the housing land requirement as “we need sufficient land to deliver X houses” rather than “we need Y HA of land which we assume will deliver X houses assuming 20 houses per HA”;
- (4) In our Plans we give each site an indicative capacity that takes into account factors such as ground conditions and slope; we might revise these figures through the HLA process.

The 25% margin used in Highland is higher than the range suggested in paragraph 85. To some extent, the Highland figure reflects the situation in rural areas where – even within a housing market area – there is minimal public transport and travel conditions can be difficult so we need to be sure we can meet need & requirement in-situ (to avoid unsustainable travel). There may be a case for using a lower figure in urban areas such as Nairn and Inverness where public transport is available, however allocations in the A96 corridor tend to be larger and any delay in delivery of sites would lead to an overall shortfall within the housing market areas, hence a larger margin in these areas continues to be desirable.

## Draft Scottish Planning Policy - Consultation Questionnaire

Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

- 7 Housing** **Y** **N**
- Do you think that authorities should be able to include an allowance for windfall development in their calculations for meeting the housing land requirement, as set out in paragraph 86?

It is essential that we can continue to make an allowance for windfall, informed by evidence from past completions. Analysis within Highland shows that around half of recent historic completions have been on windfall sites, and that figures vary across Highland.

To some extent the low percentage of completions on allocated sites reflects past practice in Highland rather than the modern 5 yearly Plan cycle, and long gestation times for Plans (Inverness in particular where certain sites came forward as windfall during the preparation of the Plan). We expect the number of completions on windfall sites to fall as we move across to the five yearly planning cycle, but do not anticipate any major policy changes that might reduce windfall to minimal levels (particularly in rural areas).

Properly managed windfall in Highland is essential in enabling rural development as described in paragraphs 68 to 71.

- 8 Housing** **Y**
- As set out in paragraph 87, do you think strategic development plans should set out the housing supply target:
- a. only for the strategic development area as a whole;
  - b. for the individual local authority areas;
  - c. for the various housing market areas that make up the strategic development plan area; or
  - d. a combination of the above

N/A

- 9 Housing** **Y** **N**
- Do you think the approach to how national parks address their housing land requirements, as set out in paragraph 90, is the appropriate approach?
- An alternative would be for national park authorities to assess and meet housing requirements in full within their areas. Do you think this is the appropriate approach?

The Council agrees with the approach that National Parks should draw on the evidence provided by the HNDAs of the relevant housing authorities (paragraph 90).

## Draft Scottish Planning Policy - Consultation Questionnaire

Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

The Highland Council is the statutory housing authority for the part of the Cairngorm National Park (CNP) that lies in our area. The Council has identified this area – Badenoch & Strathspey – as a single housing market area. We understand the CNP Authority used the housing land requirement for this housing market area to determine the scale of housing allocations required in their Local Development Plan. The approach set out in paragraph 90 is therefore consistent with the current approach that we feel is appropriate.

### 10 Housing

Do you think the approach to identifying the five year effective land supply, as set out in paragraph 91, is the appropriate approach?

Y N

An alternative approach would be for the supply in strategic development plan areas to be calculated across local development plan areas. This would require strategic development plans to set out housing supply targets for each local development plan. Do you think this is the appropriate approach?

The Council agrees with the principles of paragraph 91. One grey area is the extent to which any undeveloped site (ie one which does not have access roads and services completed) can be considered to be effective in the current economic climate.

### 11 Housing

Do you think that the level of affordable housing required as part of a housing development should generally be no more than 25%, as set out in paragraph 97?

Y N

The Council does not agree that the level of affordable housing should generally be no more than 25%. Our own housing needs and demands assessment has shown that in a number of our housing market areas we have a significant backlog of need for social housing and would want to achieve higher levels if funding is available and if it would not damage the economic viability of the site. Indeed, there have been situations during the current economic downturn where developers might have welcomed a higher percentage if funding had been available. The 25% figure remains a useful benchmark and indicates a general level of affordable housing that is both viable and deliverable, and reflects housing needs.

### 12 Housing

Do you think that the approach to addressing particular housing needs, as outlined in paragraphs 100 to 103, is appropriate?

Y N

Draft SPP directs the user to Circular 2/2012 for the policy approach to Houses



## Draft Scottish Planning Policy - Consultation Questionnaire

Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

in Multiple Occupation (HMO) and states that the LDP should address the need for HMO accommodation in the area. This proportionate and flexible approach to policy at a national level is welcomed as it allows local authorities to respond to individual circumstances.

In regard to para 100 the Council has developed a policy "Accommodation for an ageing population" that requires developers to consider the future housing needs of the ageing population. It is the Council's intention to develop supplementary guidance to assist in the interpretation and application of the policy.

The Council welcomes the opportunity to identify housing allocations that are particularly suitable for self build plot development. This form of development is particularly suited to small rural communities. The Highland Small Communities Housing Trust has helped deliver many such affordable housing schemes across Highland. Furthermore many of our windfall developments are self-build plots and therefore are seen as an essential part of meeting the self-build market.

The promoted mix of criteria based and site-specific gypsy-traveller policies is appropriate to Highland.

### 13 Business & Employment

Do you think the regular review of marketable sites for business, as set out in paragraph 110, should take the form of 'business land audits' in order to ensure identified sites are marketable?

Y N

Yes, business land audits are essential to establish the effectiveness of allocated business land.

## NATURAL RESOURCES

### 14 Green Infrastructure

Do you think that the provision of green infrastructure in new development should be design-led and based on the place, as set out in paragraph 163?

An alternative would be to continue with a standards based approach. Do you think this is the appropriate approach?

Y N

The change in emphasis from quantity to quality is welcomed however there is a need to set local standards for open space provision to ensure that a suitable quantity and mix of open spaces are being provided at a suitably high standard.

## Draft Scottish Planning Policy - Consultation Questionnaire

Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

### UTILITIES

#### 15 Heat & Electricity

Y N

With reference to paragraphs 214 to 215, do you think heat networks should be developed ahead of the availability of renewable or low carbon sources of heat?

An alternative would be for heat networks to only happen where there are existing renewable and waste heat sources or networks. Do you think this is the appropriate approach?

Given the difficulties of retro-fitting, we would broadly support in principle the development of heat networks ahead of the availability of renewable or low carbon sources of heat. However, if SPP is to drive this then it should include criteria (e.g. relating to location, type and scale of development) which would be used in determining under what circumstances such heat networks would be sought, and any such policy in SPP should be informed by information on the economics of provision and effect on viability of development.

#### 16 Heat & Electricity

Y N

With reference to paragraph 218 and subsequent groups, do you think that the proposed increased community separation distance of up to 2.5km is appropriate?

The Council accepts the proposed increase in community separation distance (from up to 2km to up to 2.5km) in the spatial framework. However, being simply a recommendation as to separation distance, there would continue to be some weakness to this framework provision. It is understood that achieving such separation can help to reduce conflict compared to situations where lesser distances exist. It is also understood that for practical mapping reasons it may be necessary to choose a fixed distance for purposes of the spatial framework. However, Scottish Government's justification for the proposed increase is that advances in technology have led to larger turbines, increasing the prominence of wind farms. Therefore it follows that a separation distance of less than 2.5km is likely to be appropriate for smaller turbines. In so far as the appropriate separation distance is a function of turbine size, SPP could provide guidance on this. Furthermore, SPP says that the separation distance is "between wind farms and cities, towns and villages identified in the local development plan". SPP could be clearer as to whether this relates to the settlements as identified also for planning purposes generally (e.g. to guide housing development) or whether Scottish Government anticipates that LDPs would specifically identify settlements for the purposes of this safeguard from wind farm development (which might include more or fewer settlements, or different areas). The Highland Council currently applies the 2km separation to the settlement development areas, as identified for other planning purposes, in our Development Plans. In relation to this, Scottish Government should be clear as to whether it is leaving it to planning authorities to determine which areas of small settlement should qualify as villages to which the safeguard will be applied. In the Highland context this raises issues because only some of our

## Draft Scottish Planning Policy - Consultation Questionnaire

Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

small settlements have a tight-knit built-up area, whereas many others have a dispersed rural settlement form.

### 17 Heat & Electricity

With reference to paragraphs 216 to 219, do you think the proposed approach to spatial frameworks achieves the right balance between supporting onshore wind development whilst protecting the natural environment and managing visual impacts on communities?

Y N

SPP needs greater clarity as to whether the spatial framework for onshore wind energy can be in statutory Supplementary Guidance or the Local Development Plan. Paragraph 216 indicates that the spatial framework should be in the Local Development Plan, whereas paragraph 217 indicates that it should be in statutory development plans – a definition that includes statutory Supplementary Guidance. The Council's view is that planning authorities should be allowed to prepare the spatial framework as statutory Supplementary Guidance. This will require an appropriate 'hook' in the Strategic Development Plan or Local Development Plan (which itself will be tested) whilst enabling a more straight forward process for updating the spatial framework (than would be the case if it were in the SDP/LDP). There are, in any case, consultative process rigours that apply to statutory Supplementary Guidance.

Paragraph 218 indicates that spatial frameworks should safeguard areas with strategic capacity for wind farm development. However, it is not clear how Scottish Government anticipates planning authorities should safeguard areas with strategic capacity. The Council assumes that this safeguarding is not intended to apply to the whole of the areas identified in Group 4 and assumes that the intent is that areas will be safeguarded from other wind energy developments, so as to optimise electricity generation. So for example, we would steer small-scale wind turbine developments away from an area that is suited to large scale wind farm development and where the former would prejudice what could be satisfactorily developed for the latter. As currently worded, it is not clear whether Scottish Government intends that areas will be safeguarded from non-wind energy development proposals, in favour of wind energy potential. Further clarity and guidance is required, or otherwise the requirement to safeguard areas with strategic capacity should be excluded from SPP.

Paragraph 216 indicates that the spatial framework should include the potential for "wind turbine and wind farm development of all scales". However, references in paragraph 218 are solely to "wind farm" development. The Council welcomes the fact that it is proposed that SPP no longer refers to the preparation of spatial frameworks relative to a scheme threshold measured by scheme capacity (20 megawatts), bearing in mind that the physical size and number of turbines are a better indicator of degree of impact irrespective of the amount of electricity

## Draft Scottish Planning Policy - Consultation Questionnaire

Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

generated. However, SPP requires greater clarity in terms of whether the methodology for preparation of the spatial framework that is set out in paragraph 218 is expected to be followed for, say, single turbine development as well as large wind farms. If there is to be a distinction made between wind turbine and wind farm developments, then each term will require definition and there would be merit in these definitions being set out by Scottish Government in SPP, to achieve consistency across Scotland and avoid repeated debate.

The Council notes the significant protection that Scottish Government proposes should be given to core areas of wild land within the spatial framework for onshore wind energy. We set out our specific concerns about the core areas mapping and policy constraint elsewhere in our response to SPP. With respect to the proposed use in the spatial framework we are concerned as to the degree of effect that this would have in reducing the 'areas of search' for wind farm development (now effectively proposed Group 4), in focusing wind farm developer interest on smaller areas that lie close to where people live (including dispersed rural settlement as referred to in our response to Question 16) and potentially in leading to increases in cumulative impact of multiple wind farms. Notwithstanding these comments, we welcome the effort that is being made to provide clarity about wild land as a constraint and to provide mapping and, given the particular significance of this issue to Highland, we request to be further engaged in taking this process forward in advance of finalisation of NPF3 and SPP.

On the matter of regional and local landscape designations (such as The Highland Council's Special Landscape Areas - SLAs), we are concerned at the apparent low status that Scottish Government proposes be accorded to them in the spatial framework (Group 3) and note that they would be in the same group as land with local landscape interest which is not designated. Scottish Government has set out elsewhere in SPP (paragraphs 142-146) the rigorous approach that is expected to be gone through in making or reviewing local designations. In Highland our SLAs (formerly Areas of Great Landscape Value - AGLVs) are well established and we have in recent years gone through the rigors of preparing a citation for each. These citations cover special qualities, key landscape characteristics and sensitivity to change, and form a basis for assessing proposals. On the basis of the four-stage spatial framework methodology proposed, we therefore consider that regional and local landscape designations should be afforded significant protection (i.e. included in Group 2).

We welcome the proposal that outputs from landscape capacity studies can be taken into account within proposed Group 3 of the spatial framework.

### 18 Heat & Electricity

Do you think the SPP could do even more than is drafted in paragraphs 222 to 224

Y N

## Draft Scottish Planning Policy - Consultation Questionnaire

Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

to secure community benefits from renewable energy developments while respecting the principles of impartiality and transparency within the planning system?

The Council broadly welcomes the position on community benefit but suggests that there is need for greater clarity in this section of the SPP. In particular, there is a need to clearly distinguish between different types of community involvement in schemes, whilst maintaining clarity about which considerations are legitimate planning considerations. Early on in the section there is reference to the Scottish Government target of 500 MW of renewable energy generating capacity being community or locally-owned by 2020. However, community benefit from commercial schemes might be used to enable a number of different types of development, and for that matter are not always delivered as community benefit.

### 19 Digital

Do you think the planning system should promote provision for broadband infrastructure (such as ducting and fibre) in new developments so it is designed and installed as an integral part of development, as set out in paragraph 230?

**Y** **N**

Digital communications are particularly important for an area such as Highland where the population is widely dispersed. It is considered that there is little further the planning system can do to support the development of digital communications than what is in the draft SPP. While the installation of broadband infrastructure in new builds is to be promoted through the Planning System, we do not feel that the planning system is the right mechanism to ensure delivery or enforce this, it is considered that other regulatory processes could be better suited to this.

### 20 Flooding & Drainage

Do you think that Strategic Flood Risk Assessment should inform the location of development, as set out in paragraph 239?

**Y** **N**

Strategic Flood Risk Assessments (SFRAs) are a useful tool in determining an overview of flood risk within local authority boundaries. SFRAs collate information on fluvial and coastal flood extents, pluvial flood risk areas (if known) and local flood risk management planning. They are useful not only for local authority development planning, but also to developers who are identifying land which is suitable for development outwith flood risk areas. Some SFRAs may include hazard mapping which considers the risk of flooding to existing developments from a potential breach or overtopping of existing defences on certain reaches of watercourse.

## Draft Scottish Planning Policy - Consultation Questionnaire

Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

Currently THC does not have SFRAs available to inform the location of development. In the absence of SFRAs the Flood Team is building up a database of historical flood incidents which indicate potential flood hazards and SEPA's publically available flood extents (due to be updated in December 2013). Whilst the publication of the new flood hazard and risk maps will be a useful tool in assessing the areas at highest risk, a SFRA may still be required to assess the most appropriate locations for future development outwith flood risk areas.

For these reasons, we agree that where the Local Authority considers it appropriate SFRAs should be used to inform the location of new development. However it must be borne in mind that the Strategic Environmental Assessment also examines flood risk in site selection and there may be cross-over with forthcoming Flood Risk Management Plans.

### 21 Flooding & Drainage

Y N

With reference to paragraphs 245 to 247, do you think that where the Scottish Environmental Protection Agency (SEPA) has already granted a Controlled Activities Regulations (CAR) license then there should be no need for consideration of water and drainage issues by the planning system?

We would agree with this approach, subject to:

(1) The appropriate CAR licence having been obtained, i.e.: discharges. The approval notice should be submitted with the planning application.

(2) Consideration of water issues will still be required; and the word 'water' should be removed as this implies flood risk has been considered by the CAR licence. As far as we are aware, CAR does not consider flood risk in enough detail and should NOT be used in place of a Flood Risk Assessment (FRA).

Therefore if the question is suggesting there should be no further requirement for planning assessment and planning permission for within watercourse works only then this would be acceptable.

### 22 Reducing & Managing Waste

Y N

With reference to paragraphs 248 to 262, do you think that planning policy for waste management should be consolidated into the SPP to be clear on the messages and to remove the need for further narrative in Annex B of the Zero Waste Plan?

The Council broadly agrees that there is merit in the proposal to consolidate planning policy for waste management into the SPP. This will be made more manageable if there is a period of stability in national waste policy, such that no significant subsequent changes in planning policy are required in the short to medium term. However, our broad agreement with the proposal is also subject to Scottish Government having a mechanism whereby national figures on the

## Draft Scottish Planning Policy - Consultation Questionnaire

Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

capacity requirements for waste management facilities can continue to be published and kept up-to-date (say, annually) and can carry sufficient weight in informing planning.

- 23 Overall** **Y** **N**  
Do you think the proposed new structure and tone of the draft SPP is appropriate?

- 24 Overall** **Y** **N**  
Do you think the SPP should and can be monitored? If so, how?

- 25 Overall** **Y** **N**  
Do you think the SPP could be more focused? If so, how?

- 26 Overall**  
In relation to the Equalities Impact Assessment, please tell us about any potential impacts, either positive or negative, you think the proposals in this consultation document may have on any particular groups of people.

- 27 Overall**  
In relation to the Equalities Impact Assessment, please tell us what potential there may be within these proposals to advance equality of opportunity between different groups and to foster good relations between different groups.

- 28 Overall**  
In relation to the Business and Regulatory Impact Assessment, please tell us about any potential impacts, either positive or negative, you think the proposals in this

## Draft Scottish Planning Policy - Consultation Questionnaire

Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

consultation document may have on business.

### 29 Overall

Do you have any other comments? If so, please specify the relevant section and/or paragraph.

#### GENERAL

A key element of our original response to the review of SPP was to ensure that the document set out some of the remaining priorities for modernising planning. In particular this related to joint consents and proportionate assessments. With the exception of reference to Controlled Activities Regulation Licences this appears to be an omission of the draft SPP.

#### CLIMATE CHANGE

The Highland Council welcome the fact that paragraph 34 focuses primarily on means of mitigation and adaptation where the planning system can make a difference. However, noting our comments on NPF3 in which we seek more reference to energy efficiency, the Climate Change section of SPP should refer to energy efficiency specifically.

#### PLACEMAKING

The Highland Council welcome the inclusion of design focus within the SPP, also generally agree with the content, and consider the flow diagrams, and other visual information very effective.

However under paragraph 39 consideration should be given to amending the explanation for viability which currently just mentions providing good value for money. It is considered that the incentive for developers is that this approach should lead to improved marketability/desirability and an increased capital value for the built environment and perhaps there is merit in clarifying this point beyond just saying it provides good value for money.

#### TOWN CENTRES

The revised SPP should be more positive in encouraging councils to promote diversification of town centres to other vibrant (footfall generating) uses other than Class 1 retail. For example, tourism, restaurants and community uses can generate footfall and even housing at ground floor level in secondary shopping streets can provide a sufficient population within a town centre "neighbourhood" catchment to generate spin-off developments.



## Draft Scottish Planning Policy - Consultation Questionnaire

Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

### COASTAL AREAS

Just five short paragraphs in length, the section on Coastal Areas, like the draft SPP as a whole, is stripped down to bare essentials – little more than bullet points. This rather belies the fact that Scotland's coastal areas represent a huge and important resource.

(For info: If Scotland's coastline were a straight line it would stretch from here to south-east Asia. In terms of the ratio of length of coastline relative to land area, Scotland is probably the most coastal country in Europe)

The fundamental point expressed in paragraph 74 – that a holistic approach should be taken to coastal planning – is an important and welcome one. Similarly, we agree with the principles expressed in paragraphs 75-77.

Paragraph 77 should specifically mention coastal wave and tidal devices along with the other examples i.e. "They should provide..... including ports and harbours, coastal wave/tidal devices, tourism, fish farming....."

Paragraph 78 is rather too minimalist. Previously, the SPP was fairly unequivocal that isolated coast was generally unsuitable for development because it is an increasingly scarce and shrinking resource. Now the SPP only seems interested in protecting "unspoiled" areas of the isolated coast "which possess qualities of environmental, cultural and economic value". Together these constitute a fairly stringent set of qualifications which could arguably limit policy protection to only a few high-value areas. Conventional economic value does not always coincide with environmental or cultural value, and similarly, environmental and cultural value can sometimes be mutually exclusive. Therefore placing an economic value on the intrinsic nature of isolated coast will completely defeat the object and could be a charter, for example, for mass aquaculture development in areas we are trying to project.

The statement in paragraph 78 would be more acceptable if either requirement for economic value was removed or the third-last word "and" was replaced by "or".

Furthermore isolated coast should, by definition, be essentially unspoiled so to imply there is a subdivision is misleading. The PAN 53 criteria for Isolated Coast were no settlements, infrastructure, commercial or military activity, tourism/recreation development, or offshore activity plus "extended views lacking obvious signs of human activity and generally wild or natural". By most people's criteria, that would constitute "unspoiled" as well as isolated.

### VALUING THE HISTORIC ENVIRONMENT

Overall, the draft SPP highlights the significant role of the historic environment, as both a cultural asset and economic driver, throughout. The Principal Policies

## Draft Scottish Planning Policy - Consultation Questionnaire

Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

of the draft SPP recognise the important contribution that built and cultural heritage plays in sustainable economic growth, sustainable development, climate change (with the re-use of existing building stock), placemaking and in urban and rural development, and the importance of its protection and enhancement. It is also positive that the Historic Environment, its value and the importance of its protection and enhancement is a recurring theme throughout the Subject Policies.

It is considered a positive change that that the draft SPP clarifies the importance of un-designated assets (which account for over 90% of Scotland's historic environment) and the setting in which they survive, and the importance of preserving this resource in situ wherever feasible.

It is noted that that paragraph 118 (which concerns listed building consent) no longer considers there to be a presumption against inappropriate development, and there is a general feeling that protection offered to Listed Buildings has been reduced in the draft SPP. The terminology and language of this paragraph is not sufficiently robust for the local planning authority to be confident in their decisions when reaching a determination on either applications for listed building consent or planning permission on proposals which may have an impact on the setting of listed buildings. The existing SPP is strong and clear in its guidance on listed buildings and this strength should be maintained in the new SPP. We recommend that the existing section on listed buildings is retained in the new SPP.

The existing SPP makes specific reference to the value to local authorities of access to a professionally maintained Historic Environment Record – a database which underpins many of the decisions made by officers to protect and enhance the historic environment. This reference has been removed from the draft SPP and we recommend that it is reinstated. We note that this is important not just for development advice but also to encourage local communities and businesses to use and value their local heritage. This is in accordance with Scottish Government objectives in the new NPF3, such as:

1.13...We suggest our spatial strategy ..is founded upon an understanding of our key natural and cultural assets, and the contribution they make to our quality of life and our economy.

3.11...The quality and iconic nature of our built environment and the cultural distinctiveness of our landscapes, will continue to be protected, playing a key role in attracting visitors and reinforcing Scotland's image internationally.

### VALUING THE NATURAL ENVIRONMENT

Paragraph 129 of Draft SPP requires plans to identify and safeguard areas of wild land character based on Scottish Natural Heritage mapping of core wild land published in 2013. We have concerns about certain weak aspects of

## Draft Scottish Planning Policy - Consultation Questionnaire

Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

methodology, about how the outputs have been used to derive the 'core areas' mapping and about the policy restraint. We have set out our concerns regarding this in more detail appendix 1 to this questionnaire. Notwithstanding these comments, we welcome that effort is being made to provide clarity about wild land as a constraint and to provide mapping and, given the particular significance of this issue to Highland, we request to be further engaged in taking this process forward in advance of finalisation of NPF3 and SPP.

The need for statutory status for forestry and woodland strategies surely rests on whether they will be used and referred to when determining planning applications (paragraph 130). The Highland Council has not used its current strategy for this purpose and is unclear how any future strategy would take on this role. Identifying/mapping potential opportunities for types of tree planting is not an influence on determining planning applications for alternative uses, as we do not expect to safeguard land for planting and refuse alternative uses proposed. We do however have separate Statutory Supplementary Guidance, Trees, Woodland and Development that covers tree and woodland issues that affect planning application decisions by explaining in more detail how we will implement our policies which control woodland removal, and on our expectation for integration of new planting within new developments. It is considered that clarity should be provided on why Forest and Woodland Strategies are expected to be statutory supplementary guidance if this remains the intention.

Draft SPP requires, inter alia, that development that affects Sites of Special Scientific Interest should only be permitted under certain circumstances. Whilst it is appreciated most Geological Conservation Review Sites (GCR) now have statutory protection through designation as geological features in SSSIs, some remain as yet unprotected. It is therefore considered that SPP should make reference to the importance of the protection and conservation of GCR sites should be emphasised.

With regard to local designations it is considered that the current wording of paragraph 142 could be added to so that there is also acknowledgement of their valuable contribution to the natural environment.

### ENHANCING GREEN INFRASTRUCTURE

The principles set out are welcomed and the reintroduction of a long-term approach to management and maintenance of open space in new developments is supported. By considering all green infrastructure in this section it provides a basis for a more joined up approach to the provision of green infrastructure and will enable the creation of more successful green places built around the concepts of green networks which have social, environmental and economic benefits. The policy approach which encourages the temporary green infrastructure use on brownfield sites is welcomed and mirrors good practice in Glasgow.

## Draft Scottish Planning Policy - Consultation Questionnaire

Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

### RESPONSIBLE EXTRACTION OF RESOURCES

The principles of the promoting responsible extraction of resources section of draft SPP are logical and sound. However it is considered that some of the text in this section requires further clarification to allow the policy to be delivered in practice.

Paragraph 169 requires local development plans to safeguard mineral resources which are of economic or conservation value. However no explanation is provided to explain what mechanism should be used to do this, for example is it by means of identifying such areas on proposals maps or in policy text.

Paragraph 169 also requires plans to support the maintenance of a landbank for construction aggregates of at least 10 years at all times and in all market areas. As with the existing SPP, no guidance is provided to explain that construction aggregate audits are required to calculate the existing landbank, methodology to calculate likely demand or ways in which to define market areas. Furthermore it is noted that unlike the existing SPP the reference to a landbank of 'permitted reserves' has been dropped. It is now therefore unclear if only permitted reserves can be included in landbank calculations. Reference is also made to the identification of areas of search supporting the maintenance of 10 year landbank. Concern is raised with regards this aspect as it is unlikely that accurate estimates of the potential contribution an area of search could make to the landbank will be available.

The last sentence of paragraph 169 is commended, whereby a criteria-based approach may be taken where a sufficient landbank already exists or substantial unconstrained deposits are available. It may be prudent to add that such an approach should be supported by an appropriate evidence base.

In relation to onshore oil and gas operations SPP should make reference to horizontal and vertical drilling activities and the distinction between these practices. It would also be useful to recognise the emerging use unconventional gas extraction (such as shale or 'fracking') as methods of extraction and how local authorities and agencies should deal with these proposals and their potential implications for land use planning.

### SUPPORTING AQUACULTURE

The first sentence in paragraph 180 is too bald – aquaculture does make a significant and valued contribution to the Scottish economy but there are also longstanding question marks about its sustainability, particularly in relation to its impact on populations of wild salmonids. This is why so many individual fish farm planning applications are contested, and a measured national planning policy needs to acknowledge this uncertainty and address the potential for friction from the outset.

The first bullet point in paragraph 181 tries to finesse this by implying that the

## Draft Scottish Planning Policy - Consultation Questionnaire

Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

aquaculture industry is sustainable whilst at the same time using hypothetical terms. Support for the industry's self-generated sectoral growth targets will be appropriate when the salmon-farming industry has the confidence of the populace at large that it is environmentally as well as economically sustainable. Until then, unequivocal support for that section of the industry's growth aspirations would seem somewhat premature.

The gist of paragraph 182 is fine but it should also mention statutory and non-statutory supplementary planning guidance, both of which can provide detailed local guidance for developers, help to deliver the right type and scale of development in the right places, and help to pre-empt conflicts of interest.

Paragraph 183 should say "planning area" not lease area – the lease area is not a planning issue. It is also vital that reference to "and provision for restoration once operations cease" is retained however there needs to be more context to this statement - for example it needs to be stressed that this relates to site restoration in the event that developments are no longer an operational requirement for the companies. It is not intended to be offered as mitigation in what is ultimately intended to be permanent planning permission.

### PROMOTING SUSTAINABLE AND ACTIVE TRAVEL

The principles of the movement section of SPP continue to be sound, in particular the requirement for the prioritisation of walking, cycling and public transport opportunities in development plans and development management decisions. It is commended that an early reference is made to Designing Streets. However no reference is made to the principles of Designing Streets or any cross reference to Placemaking section of Draft SPP. In achieving the policy principles it is considered fundamental that street layout and design are considered from the outset and therefore referenced in the movement section of SPP.

Paragraph 202 begins by stating 'Where a change of use or a new development is likely to generate a significant increase in the number of trips, a transport assessment should be carried out'. Given most planning applications are for new development as opposed to change of use it would be sensible for the sentence to begin with 'Where a new development or a change of use...'. Reference to "change of use" in the opening words may guide the reader away from this section whereas it may be relevant.

Question is raised with regards to what is a 'significant' increase in the number of new trips, and what are 'significant travel generating uses'. This undefined terminology is open to interpretation. It would also be helpful to include text to state that for smaller developments which have an impact on the number of trips, planning authorities should advise when a transport statement is necessary.

## Draft Scottish Planning Policy - Consultation Questionnaire

Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

Text relating to road side facilities is now limited to stating that developers and planning authorities should ensure that development does not have adverse impacts on roadside facilities, including lay-bys. In the experience of this Council development effecting existing road-side facilities is rarely an issue. If this text is to remain it would be helpful for explanation to be provided as to what the adverse impacts may be, for example would viability or impact on visibility be relevant or is it more in reference to a development that may affect a facilities accessibility?

Any guidance on the provision of roadside facilities appears to have been omitted from the Draft SPP. As applications for roadside facilities are often in what is defined as countryside in development plans some guidance is required at a national level to explain in what circumstances these should be supported. It would be helpful if the finalised SPP could provide some guidance on this subject and provide, for example an indication of the acceptable distances between roadside facilities on the strategic road network.

### DELIVERING HEAT AND ELECTRICITY

Paragraph 211 indicates that strategic development plans should support national priorities for the construction or improvement of strategic energy infrastructure. However, local development plans may also play an important role in this, particularly in areas (such as Highland) that are outwith strategic development plan areas.

Paragraph 220 indicates that consideration of proposals for wind turbine developments should take account of, amongst other things, impacts on carbon rich soils, using the carbon calculator. The Council suggests that it would be too onerous to require this for every wind turbine development, including proposals for small single turbine developments. Also, expectations for verification by the planning authority should be reasonable. Planning authorities could require carbon calculation by the developer for schemes over a certain size and could take account of the calculation, at least as it stands.

Paragraph 220 indicates that consideration of proposals for wind turbine developments should take account of, amongst other things, impacts on tourism. SPP should more clearly indicate what particular types of impact on tourism may be considered and in what way they can be factored in to decision making, given the repeated national messages indicating, in essence, a lack of evidence that windfarm development impacts adversely on tourism.

### FLOODING

We consider the section 'Managing Flood Risk and Drainage' within the draft SPP is a well written and more comprehensive and user-friendly than the current. We are generally in agreement with the proposed text, subject to the following observations:

## Draft Scottish Planning Policy - Consultation Questionnaire

Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

(1) Surface water (pluvial) flooding can be a significant flood risk to property and people at a much lower return period than the 0.5% event (1/200 year). These events can occur more frequently and can be much harder to avoid, reduce or eliminate. We therefore recommend that further categories of the Flood Risk Framework (or a separate one entirely) is produced for surface water (pluvial) flooding requiring consideration of flood risk for a lower return period event.

(2) Surface water (pluvial) flooding should be defined within the Glossary

(3) Paragraph 246 – We suggest further wording at be added to the end of the paragraph:

“Drainage assessments, covering both surface and foul water, will be required in support of applications for large developments in areas where drainage is reaching capacity and in areas where flood risk, including surface water flooding, is identified as an issue, or where the Local Planning Authority specifically request, based on local flooding knowledge.”

(4) The option for local authorities to produce detailed supplementary guidance on flood risk and drainage impact assessment should be referenced. Our recently adopted supplementary guidance on this topic provides a useful technical guide for applicants.

(5) We can identify only one paragraph describing drainage requirements therefore we suggest further requirements for considering drainage be incorporated into SPP, for example the following wording could be added to paragraph 246:

“In order to ensure development does not increase flood risk elsewhere, it is expected that post development runoff rates and volumes will be no greater than pre-development (or Greenfield where applicable) runoff rates and volumes.”

(6) Define ‘precautionary approach’ paragraph 234.

(7) Paragraph 234: delete ‘rising’ as groundwater may not have to be rising to constitute an issue.

(8) Paragraph 234: the policy principle of ‘flood avoidance’ appears to imply that it is only relevant to fluvial flood risk where ‘safeguarding flood storage capacity’ is an issue. Avoidance of areas of flood risk should be a clear policy for all sources, particularly where the flood risk is from multiple sources.

(9) Paragraph 242: Define ‘appropriate standard’ with respect to flood protection measures. Flood defences may be built to various standards dependent upon cost-benefit and practicality of implementing.

### REDUCING AND MANAGING WASTE

The Council accepts that, as stated at paragraph 252, required capacities for waste handling are not caps to provision. We note the statement at paragraph 253 that while a significant shortfall of waste management infrastructure exists, emphasis should be placed on need over proximity. Nevertheless, the Council's view is that individual proposals require rigorous assessment and that the appropriate balance point between issues of need and proximity will be for the decision makers to determine, having regard to the circumstances of the case.

## Draft Scottish Planning Policy - Consultation Questionnaire

---

Please answer the questions relevant to you and provide further comment, including evidence or justification, in the box provided.

---

Furthermore, as stated in our comments on NPF3, we would suggest that in respect of any particular individual future proposal for a waste management facility, no 'national need' principle has yet been established (for that particular facility, in that particular location).



Draft Scottish Planning Policy Response  
The Highland Council – Appendix on Core Wild Land

The Highland Council welcomes the general approach of providing a more substantial policy context, together with mapping for Core Wild Land areas, and greater clarity on how Wild Land should be incorporated within the Spatial Framework for Onshore Wind Energy development. However, we have some concerns relating to the way this has been achieved that should be addressed before the Scottish Government's position is finalised. A summary of these points is provided below with more detailed comments thereafter.

Summary Points on Core Wild Land

- There are a couple of key concerns about the methodology used in Phase I to define the four attribute layers for wildness. These concerns relate to the visible lack of buildings, roads, pylons and other modern artefacts layer and are about the omission of wind energy development built post 2010, wind energy developments with planning permission, and plantation forestry.
- There is a need to further define what wild land is and for this to inform a review of the weightings attributed to the four individual attributes layers (ruggedness, remoteness, visible lack of buildings, roads, pylons and other modern artefacts, and naturalness) that are then combined to create a single wildness map.
- The extent of these Core Wild Land areas and the policy to support it will have a significant impact on development potential. Therefore there is a difficult balance to strike in providing appropriate protection of the highest value natural heritage whilst balancing against other Government objectives such as the Scottish Government's ambitious target for the equivalent of all of Scotland's electricity needs to come from renewables by 2020. This needs to be at the forefront of our minds whilst reviewing the Core Wild Areas identified and their corresponding policy. It is considered that the extent of current Core Wild Land areas go beyond identifying the highest value natural heritage, and do not strike the right balance needed to support sustainable economic growth.
- Certainty is needed for all development types not just Onshore Wind Energy development and this could be delivered through designation of a much smaller area than what is currently identified as Core Wild Land.
- Alternatively the Core Wild Areas could remain the same extent but have a policy that recognises that although there are wildness qualities within these areas, the level of restriction/protection is not consistent across the full extent of this area. However if this approach is taken then it is considered that the use of these Core Wild Land areas to inform the Spatial Framework for Onshore Wind Energy needs to be amended to downgrade their importance.
- Additional guidance should be provided on the qualities of wild land and on assessing impacts on wild land through updating the SNH Assessing the Impacts on Wild Land: Interim Guidance Note and or providing citations of their special qualities.

Detailed Comments on Core Wild land

Concerns about the methodology used to define the four attribute layers of wildness

These concerns relate to the methodology for identifying the the visible lack of buildings, roads, pylons and other modern artefacts layer. It is considered that this should also include sites with planning permission and should be as up to date as possible rather than more than 2 years out of date (this is particularly important because there has been a lot of activity within the intervening period). Whilst recognising that perhaps not every single windfarm with planning permission will be built the vast majority will be and it is therefore misleading to exclude permitted wind energy developments from this layer. It seems more appropriate to protect the best resource we are almost definitely going to be left with than to pretend it will

not happen and end up protecting areas that will likely (or have already) become compromised.

Additionally we strongly feel that a more defensible methodology would involve inclusion of plantation forestry within the visible lack of buildings, roads, pylons and other modern artefacts layer. It was interesting to hear Steven Carver's view on this (as an academic and consultant who has worked extensively with SNH, and others on mapping wildness). At the 5th December 2011 'On The Wild Side Event' he informed us that its inclusion makes a big difference to the overall results and that he would include plantation forestry on this map. Also the lack of consistency with the National Parks methodology on this matter is of concern.

#### Defining what wild land is and deciding on the weightings attributed to the 4 individual layers before they are combined

The weighting of the individual layers has a significant impact on the resultant classes that are identified by Jenks analysis. It is considered that it would be useful to consider whether certain attributes contribute more towards the sense of wildness (such as the visible lack of buildings, roads, pylons and other modern artefacts) than perhaps ruggedness or the naturalness layers. If they do then there would be logic in weighting the individual layers to reflect a more appropriate balance. Linked to the weighting of the individual layers it is considered that some thought should be given to further defining what wild land is.

Also if the conclusion is that the visible lack of buildings, roads, pylons and other modern artefacts only contributes 25% towards the value/qualities of the Core Wild Land resource does this suggest that some built development within the current Core Wild Land areas may be acceptable particularly where there is some distance decay from the highest classes (7 and 8). It is possible that some types of built development could have a less significant impact on the other wildness qualities - ruggedness, remoteness and naturalness – which would mean that their overall impact on wildness could be argued to be limited.

It is vital to provide clarity and rigour to the definition of Core Wild Land in order to be confident about what we are seeking to protect and how we are seeking to protect it. At the moment it is considered that whilst there has been excellent technical analysis of Core Wild Land there is still work to be done to establish what are the relative importance of these qualities. It is considered that the policy and mapping approach should be informed by decisions on the definition of wild land and on the weighting of the attributes. Also consideration should be given as to how core wild areas are intended to affect land use management decisions not just planning decisions so that there is a clear understanding of what the aspirations/goals are for our core wild areas.

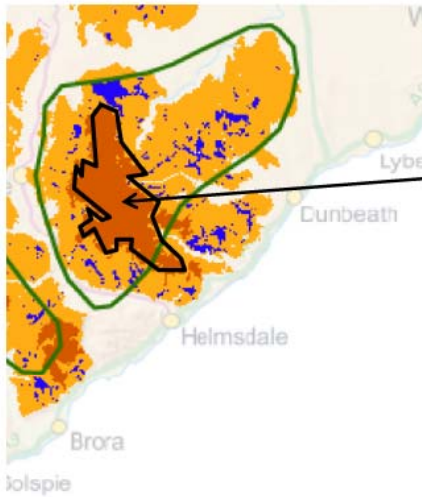
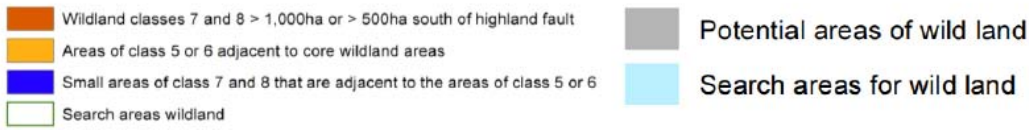
#### Using Jenks analysis to identify the Core Wild Land

The policy approach proposed combined with the current mapping of Core Wild Areas goes beyond protecting what the Highland Council considers to be Core Wild Areas. The extent of the Core Wild Areas identified in NPF3 are actually larger areas of land that exceed the Search Areas for Wild Land and include areas of lesser wildness quality. Referring to SNH's methodology:

“Areas of wild land will consist of these classes [classes 7,8] with the inclusion of class 6 and class 5 where these are part of and contribute to the wild land block as a whole.”

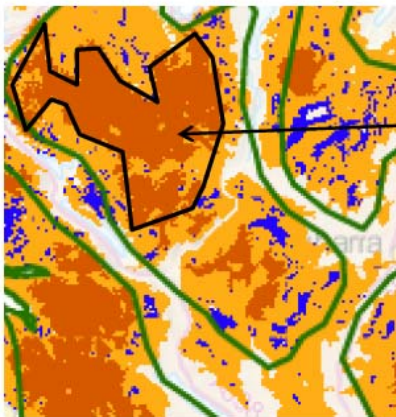
With reference to the diagrams below, NPF3 proposes that smaller sections of Class 7 and 8 that are interspersed with class 5 and 6 land should be identified as Core Wild Land. These smaller areas are not considered to form part of a continuous block of class 7 and 8 land, and we would query the extent to which they contribute to the Core Wild Areas.

Wild Land maps prepared by SNH for Phase II and III have been used to illustrate points



Example: Consider black line boundary as Core Wild Land as this excludes lower quality classes 5 and 6 from its boundary

It can be seen by comparing this map with the potential areas of wild land indicated by the grey shape on the left hand side map that this approach would produce much more discrete Core Wild Land areas.



Example: Consider black line boundary as Core Wild Land as this excludes lower quality classes 5 and 6 and also excludes classes 7 and 8 where intervened by areas of 5 and 6 and perhaps without sufficient land mass of 7 or 8 in itself.

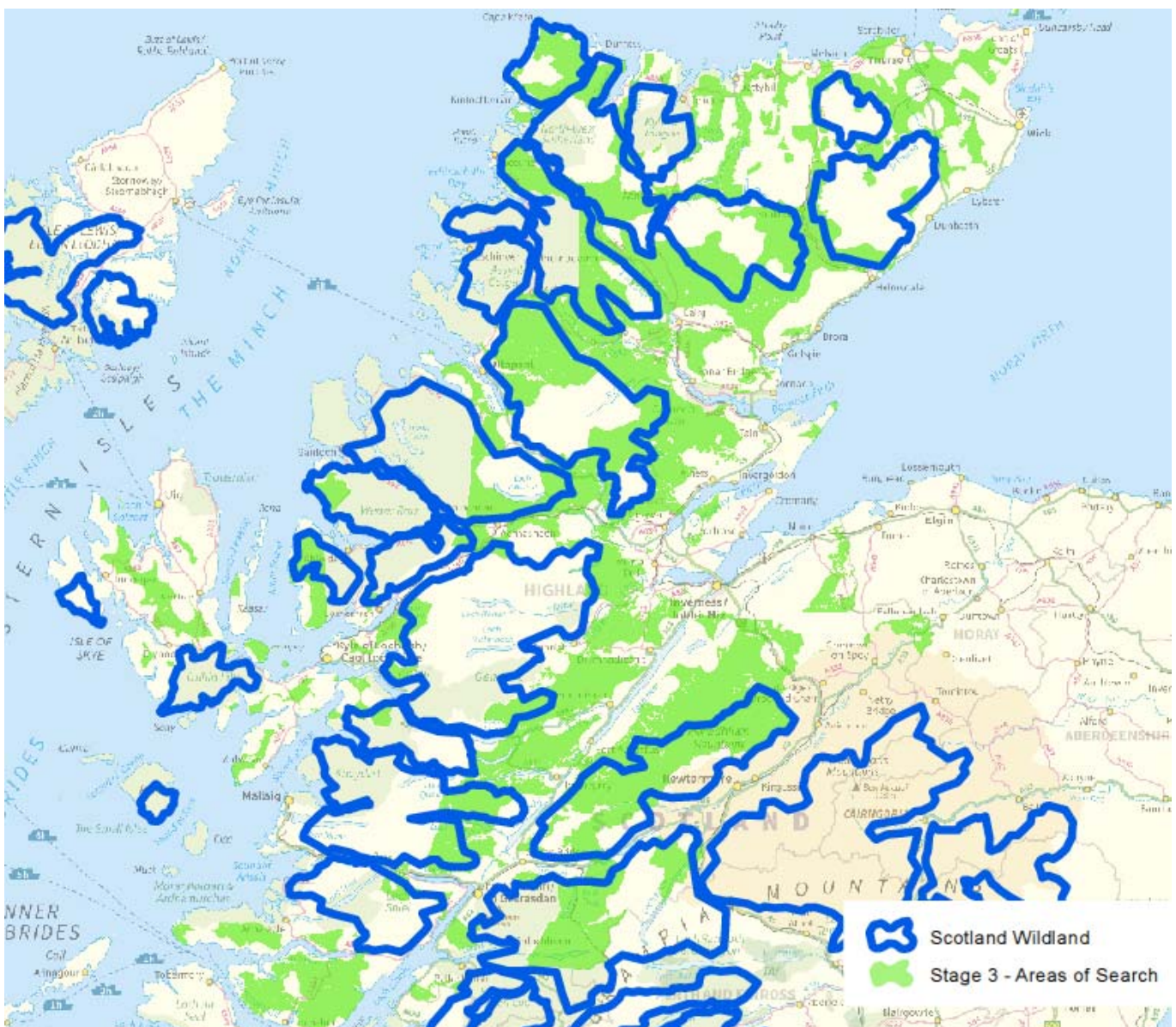
It can be seen by comparing this map with the potential areas of wild land indicated by the grey shape on the left hand side map that this approach would produce much more discrete Core Wild Land areas.

The maps below illustrated these points using SNH Map C which shows the Wildness Classes and the Search Areas for Wild Land.

Furthermore consideration could be given as to how the Jenks analysis groups the classes as it could also be defined differently to help establish more discrete areas of Core Wild Land to ensure that the top cut of wild land is protecting the best quality of the natural resource whilst not unduly compromising other social and economic objectives and sustainable economic growth (including the Scottish Government's renewable energy targets). This should include reflection on the tension that the currently proposed wild land approach has with another SPP policy which is to sustain fragile communities.

Establishing an appropriate extent to the Core Wild land Areas and/or appropriate policy to support these areas

Regardless of the discussions about the relative merit of the methodology used to identify the Core Wild Areas it is considered that the extent of these areas will have a significant impact on development potential and that a suitable balance in providing suitable protection to the highest value natural heritage has not yet been struck. This balanced position must after all create a planning framework that is able to deliver the National targets for Renewable Energy contributions, and allow for sustainable economic growth. Rather than being left to interpret the method for protecting core wild land areas individually, Planning Authorities should be given a strong steer on how to strike the balance between protection of wild land and meeting renewable energy targets. A map is included below to show the impact that the current Core Wild Land areas could have on the Areas of Search in the Highland Council area.



It is concerning that there is still a lack of clarity as to how the Core Wild Land areas affect other development potential beyond large onshore wind energy development. It appears as though the level of protection afforded is intended to be akin to that of a national designation

given its role in the Spatial Framework for Onshore Wind Energy and yet it is not identified as such. It is considered that this should be addressed and, if it is not considered to be a national designation, consideration should be given to downgrading its status within the Spatial Framework.

Once the methodology for defining Core Wild Land areas has been revisited it is considered that one of following two approaches should be taken:

**EITHER**

- (1) Much smaller Core Wild Land areas are identified (as explained earlier in this submission) and the policy remains as it is but with clarity as to whether these are national designations. At the moment their proposed status in the Spatial Framework for Onshore Wind Energy means the intention is clear as to how these areas should affect large scale wind energy development. However, there is less clarity for other types of development. Greater clarity could be provided by making these smaller Core Wild Land areas national designations, and providing more information to assist assessment eg. citations for their qualities and updating the SNH note "Assessing the Impacts on Wildland: Interim Guidance Note". However if they are not to be national designations then consideration should be given to downgrading their status in the Spatial Framework for Onshore Wind Energy.

**OR**

- (2) Core wild areas remain the same as that identified in NPF3 but the policy recognises that although there are wildness qualities within these areas, the qualities are not consistent across the full extent of this area. Therefore the level of restriction/protection varies in accordance within this. This is because it is considered that at least part of the setting of wild areas (not just the highest quality wild areas) have been included within the Core Wild Areas.

Within the proposed NPF3 core wild areas you could require a Wildness impact assessment to be prepared by the developer using an updated SNH Assessing the Impacts on Wildland: Guidance Note rather than there being a presumption "that there is little or no capacity to accept new development" across the full extent of this designation. However if this approach is taken then it is considered that the use of these mapped areas to inform the Spatial Framework for Onshore Wind Energy is important and it should be downgraded.

Also even if it is decided that the NPF3 wild land areas deserve this level of protection Scottish Govt should also consider how they wish to see the setting (interest/amenity/resource) of these Core Wild Land areas protected. In our view the protection of the setting of Core Wild Land Areas is provided by the natural heritage policies in our Development Plan. As such, there is no need to provide additional protection for these areas by including them in areas of Wild Land. If the proposed policy approach from SPP is applied to the proposed NPF3 Core Wild Land areas this would lead to an unduly restrictive approach. Effectively it would be seeking to protect the setting of the setting.

The potential implications of this approach is illustrated below, albeit crudely, whereby a simple 10km buffer has been applied to the Core Wild Land areas. Whilst we appreciate that buffers would never be identified and used to narrow the Areas of Search, nevertheless the practice of assessing planning applications would require close scrutiny of developments within this radius (depending on view shed information). It could therefore have a significant

impact on the development potential within this area, particularly as absence of development is a key quality of wildness. For example, if development was merely visible from areas of Core Wild Land negative effects could not be mitigated and development could not proceed.

In light of the above, we would conclude that Option 1 would present the best solution for dealing with Wild Land areas. This would provide a clear steer to Planning Authorities on how to take forward the protection of these areas, and could be easily applied to Councils' spatial strategies for all types of development, including onshore wind developments, in these areas.

